

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

TWENTY-FOURTH DAY'S PROCEEDINGS

**Thirty-First Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, June 6, 2005

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

ABSENT

Bajoie	Gautreaux N
Total - 2	

The President of the Senate announced there were 35 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Ted M. Long, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Dardenne, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

June 6, 2005

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 84—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 46:2134(G), relative to domestic abuse assistance; to provide for the payment of costs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 194—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 33:1423.1, relative to the collection and disposition of bonds, fines, fees, licenses, and taxes; to provide that the sheriff may retain private attorney and assess attorney fees and expenses to affected tax recipient bodies; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 209—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 37:1432(A) and to enact R.S. 37:1455(A)(35), relative to the Louisiana Real Estate Commission; to provide for commission members; to add misleading advertising as a cause for censure, suspension, or revocation of license; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 226—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact Code of Civil Procedure Articles 592(A)(3)(b), 1917, 2031(A), and 2083, relative to civil procedure; to provide for the continuous revision of the Code of Civil Procedure as required by R.S. 24:251; to provide for written reasons for judgment and findings of fact in class action certifications and for appeal therefrom; to provide for the commencement of the time period in which to request the court to give findings of fact and written reasons for judgment in a nonjury trial; to provide for the interruption of prescription with the filing of a motion to revive a judgment; to provide for appeal of interlocutory judgments; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 255—
BY REPRESENTATIVE ANSARDI
AN ACT

To repeal Part VIII of Chapter 2 of Subtitle IV of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:3251 through 3267, to repeal provisions relative to the Firemen's Pension and Relief Fund for the city of Kenner; to provide for disposition of monies remaining to the credit of the fund; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 260—
BY REPRESENTATIVE HUNTER
AN ACT

To enact Code of Civil Procedure Article 2904, relative to testaments; to provide for the videotaping of the execution and reading of testaments; to provide for the admissibility of a videotape; to provide for the definition of "videotape"; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 261—
BY REPRESENTATIVE HUNTER
AN ACT

To enact Children's Code Article 1004(H), relative to termination of parental rights; to authorize termination by any interested person under certain circumstances; to provide for procedures; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 318—
BY REPRESENTATIVE BADON

AN ACT

To amend and reenact Code of Civil Procedure Article 2293(B), relative to notice of seizure of property; to provide for giving additional notice of seizure to occupants and tenants; to provide relative to the validity of the sheriff's sale for failure to serve additional notices; to provide for an optional method of giving notice when the property consists of more than ten units; to provide for filing of an affidavit in the foreclosure proceeding records and the effect thereof; to provide for the inapplicability of additional notice provisions to certain property; to provide for the validity of foreclosure proceedings deemed not in compliance with Act No. 877 of the 2004 Regular Session; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 341—
BY REPRESENTATIVES WINSTON, BURNS, DURAND, GRAY, E. GUILLORY, KATZ, MCDONALD, AND WADDELL

AN ACT

To enact Chapter 9-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1001 through 1002, relative to foster children; to provide vocational testing and counseling for children in foster care; to provide for the duties of the office of community services; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 351—
BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 26:90(A)(1)(b) and 286(A)(1)(b), relative to identification to be accepted to sell alcoholic beverages upon a licensed premise; to delete provisions requiring that if a duplicate driver's license is submitted, additional information must be provided; to provide that a duplicate driver's license shall be considered as lawful identification; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 363—
BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 35:191(N), relative to notaries public; to provide for reciprocal notarial authority in the parishes of Iberville, Ascension, East Baton Rouge, East Feliciana, Livingston, Point Coupee, West Baton Rouge, and West Feliciana; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 445—
BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 46:52.1(C)(1)(introductory paragraph) and (2), relative to "No Wrong Door"; to provide for the implementation of an integrated case management model; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 446—
BY REPRESENTATIVE TRAHAN

AN ACT

To enact R.S. 6:1094(B) and to repeal R.S. 6:1087(B)(10), relative to residential mortgage lending; to provide for licensure; to provide examination requirements; to establish licensure exemptions; to repeal the requirement of commissioner approval for persons engaging in no more than four residential mortgage lending transactions in a calendar year; to eliminate the licensure exemption for persons engaging in no more than four residential mortgage lending transactions in a calendar year; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 496—
BY REPRESENTATIVES MCDONALD, WALSWORTH, SCALISE, AND THOMPSON

AN ACT

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.56, relative to the creation of the Northeast Louisiana Film Commission; to create the Northeast Louisiana Film Commission; to provide for the purposes, powers, duties, functions, and responsibilities of the commission; to provide for an executive director; to provide relative to employees, funding, and cooperation with state agencies; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 528—
BY REPRESENTATIVES DOERGE, ALARIO, DORSEY, HAMMETT, SALTER, AND BRUCE AND SENATORS BAJOEIE AND HINES

AN ACT

To enact R.S. 40:2006(E)(2)(m) through (u), and Part II-D, Part II-E, and Part II-F all of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.7, R.S. 40:2120.11 through 2120.16, and R.S. 40:2120.21 through 2120.26, respectively and to repeal R.S. 28:420 through 427, R.S. 40:2006(A)(2)(p) and (B)(2)(h), R.S. 46:1971 through 1980, and R.S. 46:2682 through 2683 and 2685, relative to personal care attendant services, respite care services, supervised independent living services, adult day care services and family support services; to transfer authority to license such services from the Department of Social Services to the Department of Health and Hospitals; to provide for licensing fees for such services; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 538—
BY REPRESENTATIVES MCVEA, BOWLER, ANSARDI, LABRUZZO, SCALISE, AND WINSTON

AN ACT

To enact R.S. 28:382.2 and to repeal R.S. 28:382.1, relative to the local governance of human services delivery; to provide a statewide human services and accountability framework for the system delivery of mental health, developmental disabilities, and addictive disorders services; to establish the Human Services Interagency Council; to provide for the planning, monitoring, and coordination of the statewide framework; to ensure accountability, policy setting, coordination, and monitoring of human services delivery at the state and local level; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 552—
BY REPRESENTATIVE ST. GERMAIN

AN ACT

To enact Part IV-C of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.41 through 1730.48, and to repeal Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1730.21 through 1730.32, relative to the state fire marshal; to provide for the Commercial Building Energy Conservation Code; to provide for definitions; to provide for adoption of code; to provide for enforcement and rules; to provide for amendments and revisions to the code; to provide for fees; to provide for training and technical assistance; to repeal existing provisions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 554—

BY REPRESENTATIVE BAYLOR
AN ACT

To enact R.S. 37:575(B)(10), relative to the Board of Cosmetology; to provide for authority to contract with respect to immovable property; to provide for authority to borrow funds; to provide for authority to retain revenue upon sale of property; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 700—

BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 22:1800(5), relative to vehicle mechanical breakdown insurance; to provide for coverage; to provide for customer assistance and services; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 733—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 13:992.1(C)(1) and to enact R.S. 13:992.1(C)(6), relative to the dedication of judicial building funds of certain district courts; to provide relative to financing the construction of a new courthouse in the Nineteenth Judicial District; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 738—

BY REPRESENTATIVES M. GUILLORY AND PINAC
AN ACT

To amend and reenact R.S. 9:3515(A)(1) and to enact R.S. 9:3516(38), relative to the Louisiana Consumer Credit Law; to provide for home protection plans; to provide for a definition; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 750—

BY REPRESENTATIVE HUTTER
AN ACT

To enact Code of Civil Procedure Article 4921.1, relative to justice of the peace courts, to provide for the prosecution or defense of actions; to provide for scheduling matters for trial; to provide for abandonment; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 771—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 40:1484.2(8) and to enact R.S. 40:1484.9(E) and 1484.14, relative to air-supported structures; to provide for the definition of operator; to provide that certain provisions of law shall apply to operators of air-supported structures; to require operators of such structures to maintain minimum liability insurance or bond; to require that operators of air-supported structures report such purchases to the assistant secretary; to provide that the assistant secretary maintain a record of reported purchases; to provide penalties for an operator's failure to report; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 779—

BY REPRESENTATIVES MCVEA AND MCDONALD
AN ACT

To enact R.S. 32:867, relative to compulsory motor vehicle liability insurance; to provide for applicability; to provide for privately owned parking lots; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 848—

BY REPRESENTATIVE HONEY
AN ACT

To amend and reenact R.S. 40:1142(F), relative to certification fees assessed operators of water supply and sewerage systems; to provide for fees for examinations and issuance and renewals of certificates; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Introduction of Senate Resolutions

Senator Ellington asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 115—

BY SENATOR BROOME
A RESOLUTION

To commend and congratulate Jamie Johnell Roddy on her many outstanding accomplishments and on her being named the 2005 Woodmen of the World Sausage Festival Teen Queen I at the 2005 Woodmen of the World Sausage Festival Pageant at the Acadian Village in Lafayette, Louisiana.

On motion of Senator Broome, the resolution was read by title and adopted.

**Senate Resolutions
on Second Reading to be Referred**

The following Senate Resolutions were read and referred to committees as follows:

SENATE RESOLUTION NO. 113—

BY SENATOR MARIONNEAUX
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guardsman Sergeant Bernard L. Sembly upon his death in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and returned to the Calendar, subject to call.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

June 6, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 480—

BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 47:1925.8, relative to the Board of Assessors for Orleans Parish; to provide for a means of funding for the Board of Assessors for Orleans Parish; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 564—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 4:732(A)(2), (B), (E)(2) and (5), and (G), to enact R.S. 4:706(D) and 724(I), and to repeal R.S. 4:732(F), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to increase the mega jackpot for a progressive bingo game; to remove requirement that jackpot cap be reached before contributions can be made to the backup or second progressive jackpot; to increase the amount per game participating organizations may contribute per game if the progressive jackpot cap is raised; to remove population restrictions on parishes which can participate in progressive mega jackpot games; to repeal provision of law requiring progressive mega jackpot games and progressive jackpot games be mutually exclusive; to provide with respect to the authority of local governments to restrict or prohibit electronic video bingo; to provide that the term bingo includes electronic video bingo for purposes of decisions to permit charitable raffles, bingo, and keno by local governing authorities; and to provide for related matters.

HOUSE BILL NO. 587—

BY REPRESENTATIVE ODINET

AN ACT

To enact R.S. 56:431.1, relative to oyster leases; to authorize the use of devices to protect oysters from predation on oyster leases; to provide for permitting and regulating such devices; and to provide for related matters.

HOUSE BILL NO. 598—

BY REPRESENTATIVE LAFONTA

AN ACT

To amend and reenact R.S. 25:738(A), 752, and 760(A), relative to historic preservation; to provide for procedures for approval of applications for certificates of appropriateness for certain new construction in certain districts; to provide for the population of municipalities, parishes, and governmental units to which the law relative to historic preservation districts and historic landmarks commissions applies; and to provide for related matters.

HOUSE BILL NO. 636—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 33:225, relative to East Baton Rouge Parish; to provide relative to incorporated areas of the parish; to provide relative to the maintenance of roads, drainage, and utilities within such areas; and to provide for related matters.

HOUSE BILL NO. 651—

BY REPRESENTATIVES K. CARTER, ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BARROW, BAUDOIN, BOWLER, BRUCE, BURRELL, CAZAYOUX, CRAVINS, CURTIS, DANIEL, DARTEZ, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GRAY, GREENE, E. GUILLORY, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, KATZ, KENNARD, KENNEY, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, McDONALD, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SALTER, SCALISE, GARY SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, AND WRIGHT

AN ACT

To enact R.S. 17:171, relative to health insurance status; to provide relative to procedures for providing for the release of certain information relative to health insurance eligibility to public health insurance programs that cover children; and to provide for related matters.

HOUSE BILL NO. 883— (Substitute for House Bill No. 740 by Representative Hebert)

BY REPRESENTATIVE HEBERT

AN ACT

To enact Chapter 36-B of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2861 through 2870, relative to polysomnographic health professionals; to provide for the recognition of polysomnography as a separate and distinct profession; to provide for licensure of polysomnographic

technologists and technicians; to provide for regulation of polysomnographic technologists, technicians, and individuals-in-training; to provide for definitions; to provide for the powers and duties of the Louisiana State Board of Medical Examiners relative to polysomnographic technologists, technicians, and individuals-in-training; to provide for the creation of the Advisory Committee on Polysomnography; to provide for fees, person and practices not affected, and prohibited acts; and to provide for related matters.

HOUSE BILL NO. 640—

BY REPRESENTATIVE LAFONTA

AN ACT

To enact R.S. 47:1997.1, relative to the ad valorem tax in Orleans Parish; to provide for the payment of a fee to be charged to each tax recipient body to defray the cost of collection; to provide for the deposit and use of the proceeds of such fee; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 642—

BY REPRESENTATIVE JEFFERSON

AN ACT

To enact R.S. 15:1229.2, relative to the School Violence Prevention Training Program; to create the program under the jurisdiction of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to provide for the powers and duties of a committee to develop a program for training and certifying school security guards; to provide for funding; to allocate funds to local law enforcement agencies for school crime investigations; to require implementation of the program within six months of funding of the program after evaluation of a pilot test of the program; and to provide for related matters.

HOUSE BILL NO. 829—

BY REPRESENTATIVE JACKSON

AN ACT

To enact Chapter 10 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:1451 through 1461, and to repeal R.S. 12:202.1(C), to create and provide for the Capital Area Transit System, which is to operate public transportation in East Baton Rouge Parish; to provide for the governing board of the system and its powers and duties; to provide for participation of other parishes in the public transportation system; to repeal the provisions of law relative to the existing public transportation system in East Baton Rouge Parish and to provide that the new entity is the successor of the existing entity; and to provide for related matters.

HOUSE BILL NO. 880— (Substitute for House Bill No. 431 by Representative Lancaster)

BY REPRESENTATIVES LANCASTER, SALTER, ALARIO, DORSEY, GALLOT, AND HAMMETT AND SENATORS HINES, BAJIOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 44:4.1(B)(35), to enact Chapter 4 of Title V of the Children's Code, to be comprised of Articles 541 through 546, and to repeal Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:1461 through 1464, relative to information concerning children and their families; to provide that agencies providing services to children and their families and city, parish, or other local public school boards are authorized to request the release or exchange of information, data, reports, and records which are relevant and necessary to the performance of their respective duties to children and their families; to provide for procedures relative to the release of such information; to provide for procedures to be utilized when an agency or school board refuses or fails to provide for the release of such information; to require agencies to exercise due diligence in obtaining consent, authorization, waiver, court order, or an order from an administrative law judge to obtain information regarding children and their families; to provide with respect to confidentiality of such information; to provide with respect to immunity from liability; to provide relative to an exception in the public records law; to remove certain provisions specific to juveniles; and to provide for related matters.

HOUSE BILL NO. 882— (Substitute for House Bill No. 566 by Representative R. Carter)
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 22:2004.3, relative to health maintenance organizations; to provide with respect to coverage of certain services legally performed by chiropractors; to provide relative to discriminatory terminology; and to provide for related matters.

HOUSE BILL NO. 36—
BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 22:215.12, relative to health insurance; to require health insurance policies, contracts, and plans to provide coverage for colorectal cancer screening; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 36—
BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 22:215.12, relative to health insurance; to require health insurance policies, contracts, and plans to provide coverage for colorectal cancer screening; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 480—
BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 47:1925.8, relative to the Board of Assessors for Orleans Parish; to provide for a means of funding for the Board of Assessors for Orleans Parish; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 564—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 4:732(A)(2), (B), (E)(2) and (5), and (G), to enact R.S. 4:706(D) and 724(I), and to repeal R.S. 4:732(F), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to increase the mega jackpot for a progressive bingo game; to remove requirement that jackpot cap be reached before contributions can be made to the backup or second progressive jackpot; to increase the amount per game participating organizations may contribute per game if the progressive jackpot cap is raised; to remove population restrictions on parishes which can participate in progressive mega jackpot games; to repeal provision of law requiring progressive mega jackpot games and progressive jackpot games be mutually exclusive; to provide with respect to the authority of local governments to restrict or prohibit electronic video bingo; to provide that the term bingo includes electronic video bingo for purposes of decisions to permit charitable raffles, bingo, and keno by local governing authorities; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 587—
BY REPRESENTATIVE ODINET
AN ACT

To enact R.S. 56:431.1, relative to oyster leases; to authorize the use of devices to protect oysters from predation on oyster leases; to provide for permitting and regulating such devices; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 598—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 25:738(A), 752, and 760(A), relative to historic preservation; to provide for procedures for approval of applications for certificates of appropriateness for certain new construction in certain districts; to provide for the population of municipalities, parishes, and governmental units to which the law relative to historic preservation districts and historic landmarks commissions applies; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 636—
BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 33:225, relative to East Baton Rouge Parish; to provide relative to incorporated areas of the parish; to provide relative to the maintenance of roads, drainage, and utilities within such areas; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 640—
BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 47:1997.1, relative to the ad valorem tax in Orleans Parish; to provide for the payment of a fee to be charged to each tax recipient body to defray the cost of collection; to provide for the deposit and use of the proceeds of such fee; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 642—
BY REPRESENTATIVE JEFFERSON
AN ACT

To enact R.S. 15:1229.2, relative to the School Violence Prevention Training Program; to create the program under the jurisdiction of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to provide for the powers and duties of a committee to develop a program for training and certifying school security guards; to provide for funding; to allocate funds to local law enforcement agencies for school crime investigations; to require implementation of the program within six months of funding of the program after evaluation of a pilot test of the program; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 651—
BY REPRESENTATIVES K. CARTER, ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BARROW, BAUDOUIN, BOWLER, BRUCE, BURRELL, CAZAYOUX, CRAVINS, CURTIS, DANIEL, DARTEZ, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GRAY, GREENE, E. GUILLORY, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, KATZ, KENNARD, KENNEY, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SALTER, SCALISE, GARY SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, AND WRIGHT
AN ACT

To enact R.S. 17:171, relative to health insurance status; to provide relative to procedures for providing for the release of certain information relative to health insurance eligibility to public

health insurance programs that cover children; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 829—

BY REPRESENTATIVE JACKSON

AN ACT

To enact Chapter 10 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:1451 through 1461, and to repeal R.S. 12:202.1(C), to create and provide for the Capital Area Transit System, which is to operate public transportation in East Baton Rouge Parish; to provide for the governing board of the system and its powers and duties; to provide for participation of other parishes in the public transportation system; to repeal the provisions of law relative to the existing public transportation system in East Baton Rouge Parish and to provide that the new entity is the successor of the existing entity; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 880— (Substitute for House Bill No. 431 by Representative Lancaster)

BY REPRESENTATIVES LANCASTER, SALTER, ALARIO, DORSEY, GALLOT, AND HAMMETT AND SENATORS HINES, BAJOEI, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 44:4.1(B)(35), to enact Chapter 4 of Title V of the Children's Code, to be comprised of Articles 541 through 546, and to repeal Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:1461 through 1464, relative to information concerning children and their families; to provide that agencies providing services to children and their families and city, parish, or other local public school boards are authorized to request the release or exchange of information, data, reports, and records which are relevant and necessary to the performance of their respective duties to children and their families; to provide for procedures relative to the release of such information; to provide for procedures to be utilized when an agency or school board refuses or fails to provide for the release of such information; to require agencies to exercise due diligence in obtaining consent, authorization, waiver, court order, or an order from an administrative law judge to obtain information regarding children and their families; to provide with respect to confidentiality of such information; to provide with respect to immunity from liability; to provide relative to an exception in the public records law; to remove certain provisions specific to juveniles; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 882— (Substitute for House Bill No. 566 by Representative R. Carter)

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 22:2004.3, relative to health maintenance organizations; to provide with respect to coverage of certain services legally performed by chiropractors; to provide relative to discriminatory terminology; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 883— (Substitute for House Bill No. 740 by Representative Hebert)

BY REPRESENTATIVE HEBERT

AN ACT

To enact Chapter 36-B of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2861 through 2870, relative to polysomnographic health professionals; to provide for the recognition of polysomnography as a separate and distinct profession; to provide for licensure of polysomnographic technologists and technicians; to provide for regulation of polysomnographic technologists, technicians, and individuals-

in-training; to provide for definitions; to provide for the powers and duties of the Louisiana State Board of Medical Examiners relative to polysomnographic technologists, technicians, and individuals-in-training; to provide for the creation of the Advisory Committee on Polysomnography; to provide for fees, person and practices not affected, and prohibited acts; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 2, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 156—

BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To commend Colin McCarthy of Saint Paul's School upon his selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

HOUSE CONCURRENT RESOLUTION NO. 159—

BY REPRESENTATIVE PITRE AND SENATOR DUPRE

A CONCURRENT RESOLUTION

To commend Reggie Galjour of South Lafourche High School upon his selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 156—

BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To commend Colin McCarthy of Saint Paul's School upon his selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 159—

BY REPRESENTATIVE PITRE AND SENATOR DUPRE

A CONCURRENT RESOLUTION

To commend Reggie Galjour of South Lafourche High School upon his selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

The resolution was read by title; lies over under the rules.

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 7—
BY REPRESENTATIVE M. GUILLORY
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the civil jurisdiction of the City Court of Eunice; to increase the jurisdictional amount in dispute in the City Court of Eunice; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 76—
BY REPRESENTATIVE MARCHAND
AN ACT

To amend and reenact R.S. 22:1065.1(A) and (B)(3), relative to criminal bail bonds; to provide for fees on premiums; to provide for Orleans Parish; to provide for distribution of the fees; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 107—
BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 33:447.8, relative to the mayor's court in Erath; to authorize an increase in the amount of court costs for the violation of a municipal ordinance; to provide that any increase is conditioned upon the local governing authority authorizing an increase in court costs by ordinance; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 133—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 33:2495(B)(1)(a) and 2555(B)(1)(a), relative to the municipal fire and police civil service; to provide relative to the removal of an employee from a position during his working test; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 135—
BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F) and (I), relative to the jurisdictional limits of the City Court of Slidell; to increase the civil jurisdictional amount in dispute; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 152—
BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 18:563(D) and (E) and to enact R.S. 18:563(F), relative to voting procedures; to prohibit the use of certain electronic communication devices while voting; to exempt from the prohibition certain electronic communication devices to be used for assisted voting; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 526—
BY REPRESENTATIVE WINSTON
AN ACT

To enact Part II-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.10, relative to brain injury facilities; to provide for licensing requirements; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 639—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 33:4574.1(b) and R.S. 47:301(6)(b) and (14)(b)(iv), relative to sales and use taxes; to provide relative to the definition of hotel and places of amusement; to provide for an effective date; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 655—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 51:1787(B)(6), relative to sales tax rebates for construction in an enterprise zone; to provide for an effective date; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Revenue and Fiscal Affairs.

HOUSE BILL NO. 683—
BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 30:125, 127(A)(introductory paragraph), 128(A) and (B), 136(A)(1)(b) and (c) and (B)(1) and (2), 158, and 213(A), relative to the management and administration of mineral leasing on public lands; to provide relative to registration of lease bidders and transferees; to provide for information to be reported when payors of state royalty change; to provide relative to incorrect royalty reporting; to provide for the deposit of liquidated damages; to authorize the mineral board to waive penalties; to provide relative to confidentiality regarding geophysical and geological survey data; to provide for registration fees and penalties; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 687—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:635.4(A) and to enact R.S. 22:635.4(C), relative to homeowners insurance policies; to provide for conversion of policy forms; to provide for approval; to provide for the Louisiana Insurance Rating Commission; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 701—
BY REPRESENTATIVE BAUDOIN
AN ACT

To enact R.S. 41:15, relative to hunting on state land; to provide for certain restrictions to deer hunting equipment on state lands; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 731—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOEI, HEITMEIER, AND MOUNT
AN ACT

To amend and reenact R.S. 47:1124, 1125.1(A), and 6007(A), (B), (C)(1), (3)(b), and (4)(a) and (b), and (D) and to enact R.S. 47:1123(10) and 6007(C)(4)(f) and (6), relative to the motion picture investor tax credit; to provide incentives for motion picture infrastructure development; to provide for an effective date; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 753—

BY REPRESENTATIVES DURAND AND MCDONALD
AN ACT

To amend and reenact R.S. 37:1212, relative to the Pharmacy Practice Act; to provide relative to the practice of pharmacy technicians; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 759—

BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact R.S. 37:2442(4), 2444, 2445, 2446.1(A) and (B)(7), 2447, 2448(A) and (B)(1), 2449, 2450, 2451(A) and (B), 2461(A), 2462, and 2463, to enact R.S. 37:2442(6), 2449.1, 2449.2, 2449.3, and 2463.1, and to repeal R.S. 37:2452 and 2457(11), relative to the licensing of hearing aid dealers; to provide relative to qualifications, fees, penalties, and continuing education; to provide for temporary training permits and the training of temporary training permit holders; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 762—

BY REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 27:44(introductory paragraph)and to enact R.S. 27:44(15.1) and 44.1, relative to inspections for riverboats; to define a non- certificated vessel; to provide for the inspection of non-certificated vessels; to provide for alternatives to United States Coast Guard Certificates of Inspection; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 816—

BY REPRESENTATIVES JOHNS AND MCDONALD

AN ACT

To amend and reenact R.S. 37:1184, relative to the Pharmacy Practice Act; to provide for changes in the fee schedule; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 877—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; to provide for an effective date; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

**TRANSPORTATION, HIGHWAYS
AND PUBLIC WORKS**

Senator Ellington, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

June 2, 2005

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

HOUSE BILL NO. 269—

BY REPRESENTATIVE BAYLOR

AN ACT

To amend and reenact R.S. 2:135.1(B)(2)(b), relative to certain airport leases; to increase the maximum extension of the primary term of certain airport leases; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

EDUCATION

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

June 2, 2005

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

SENATE BILL NO. 312—

BY SENATOR ULLO

AN ACT

To enact R.S. 17:10.7, relative to school and district accountability; to provide for the status of a city, parish, or other local public school system which is academically in crisis and financially in crisis; to provide a procedure for the emergency transfer of all power and responsibility to operate, manage, and administer such a school system to an administrator; to provide for the selection of the administrator; to provide for the duration of his service; to provide for the authority and duties of the administrator; to provide for the establishment of an advisory council; to provide for the obligation of the system on contracts; to provide for the obligation of the system regarding debt; to provide definitions; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE ALEXANDER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the future income-earning capacity of individuals who pass the General Education Development (GED) examination in comparison to the future income-earning capacity of individuals who obtain a standard high school

June 6, 2005

diploma, to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education not later than two weeks prior to the beginning of the 2006 Regular Session, and if the study finds that individuals who obtain a GED have a lower income-earning capacity than those who obtain a standard high school diploma, to include in the report an explanation of reasons the GED is promoted as an equivalent to a standard high school diploma in Louisiana.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 77—

BY REPRESENTATIVE M. POWELL AND SENATOR MALONE

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop, adopt, and submit to the legislature for its approval and funding a minimum foundation program formula for the 2006-2007 school year that requires at least seventy percent of local school system general fund monies to be expended at the school building level for instructional services and further requires at least sixty-five percent of the general fund monies to be spent at the classroom level for the instruction of students by teachers and instructional staff members; to provide for a report by the state board to the House and Senate education committees prior to the 2006 Regular Session relative to certain local school system expenditures; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 103—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 17:3048.1(A)(5), to permit use of Tuition Opportunity Program for Students Opportunity, Performance, and Honors Awards at certain out-of-state nonpublic colleges and universities; to provide conditions for and limitations on such use; to provide relative to award amounts; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

Senator Nevers, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

June 2, 2005

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

HOUSE BILL NO. 680—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 23:1101(B), 1102(A)(2), 1208(D) and (G), 1226(A) and (B)(3)(a), 1272(D), 1291(C)(3), (4), and (5), 1310.3(E), 1310.7(B) and (C), 1377(B)(1), and 1378(A)(5) and (8)(a) and (b) and to enact R.S. 23:1032.1 and 1034.2(C)(4), and to repeal R.S. 23:1101(D) and 1168(A)(2)(b), relative to workers' compensation; to provide for definitions; to provide for penalties for failure to secure workers' compensation insurance; to provide for reimbursement of dental services; to provide relative to third-party suits; to provide for nurse case managers; to eliminate methods of securing workers' compensation insurance; to provide for the payment of penalties imposed for

misrepresentations; to provide for reporting of earnings; to provide for vocational rehabilitation counseling; to provide relative to lump sum settlements; to provide relative to the records management, fraud, and workplace safety sections of the office workers' compensation administration; to provide for the jurisdiction of the workers' compensation judges; to provide for penalties and requirements for findings of contempt of court; to provide for the necessary allegations in a workers' compensation petition; to provide relative to the Second Injury Fund budget, assessments, and liabilities; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
BEN NEVERS
Chairman

REPORT OF COMMITTEE ON

NATURAL RESOURCES

Senator Malone, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

June 2, 2005

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 75—

BY SENATOR N. GAUTREAUX

A CONCURRENT RESOLUTION

To create a task force to study state royalty and tax incentives applicable to the oil and gas industry in order to promote increased oil and gas exploration and drilling activity in Louisiana.

Reported with amendments

HOUSE CONCURRENT RESOLUTION NO. 18—

BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To urge and request the office of state parks of the Louisiana Department of Culture, Recreation and Tourism in coordination with the Louisiana Department of Wildlife and Fisheries to study the suitability of establishing a state park in the Maurepas Swamp Wildlife Management Area (WMA) and to report findings to the House Committee on Municipal, Parochial and Cultural Affairs and the Senate Committee on Natural Resources prior to the beginning of the 2006 Regular Session of the Legislature.

Reported favorably

HOUSE BILL NO. 124—

BY REPRESENTATIVES WOOTON AND DARTEZ AND SENATORS DUPRE AND B. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:305(H) and to enact R.S. 56:302.3(B)(5)(c), relative to shrimp gear licenses; to provide for additional fees for such licenses; to provide relative to deposit and use of the revenues from such additional fees; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 245—

BY REPRESENTATIVE T. POWELL

AN ACT

To amend and reenact R.S. 56:302.3(B)(1) and (C) and 305(B)(2) and (C)(1) and to enact R.S. 56:10(B)(1)(e) and (13), relative to providing additional funds for the enhancement of the crab fishery in Louisiana; to increase the fee for the purchase of crab

gear licenses; to dedicate the revenues from such fee increase; to create the Crab Promotion and Marketing Account in the Seafood Promotion and Marketing Fund; to create the Derelict Crab Trap Removal Program Account in the Conservation Fund; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 349—

BY REPRESENTATIVE BOWLER

AN ACT

To authorize and provide for the lease or transfer of certain state property in Jefferson Parish to the Jefferson Parish School Board; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 515—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:136.1(D), relative to fees on state mineral leases; to increase the fee levied on mineral leases on state lands which is dedicated to the Conservation Fund; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 535—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 56:305.6, relative to the moratorium on the issuance of commercial crab trap gear licenses; to authorize issuance of such licenses to certain persons; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 617—

BY REPRESENTATIVES KENNARD AND THOMPSON

AN ACT

To enact R.S. 56:410.10, relative to fishing; to prohibit the use of certain fishing gear on Poverty Point Reservoir; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 752—

BY REPRESENTATIVES DARTEZ AND ST. GERMAIN AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:34(A)(1) and (2) and 495.1(E) and to enact R.S. 56:495.1(G) and 497.1, relative to shrimping; to provide for criminal penalties for class four violations; to provide for managing the shrimp fishery; to provide for issuance and restriction of certain gear licenses; to provide for operating vessel monitoring systems; and to provide for related matters.

Reported favorably

Respectfully submitted,
MAX T. MALONE
Chairman
NICK GAUTREAUX
Vice Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Fields, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

June 2, 2005

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE BILL NO. 13—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 33:9097.2 (C), (E)(1)(introductory paragraph), (E)(1)(b) and (E)(2), (G)(1)(a) and (b), and (G)(5) and (6), to enact R.S. 33:9097.2(G)(1)(c), and to repeal R.S. 33:9097.2 (G)(7), relative to the South Burbank Crime Prevention and Development District; to provide with respect to the purposes, governance and authority of the district; to provide relative to a parcel fee; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 121—

BY SENATOR CHEEK

AN ACT

To enact R.S. 40:1502.15, relative to fire protection districts; to authorize the governing authority of such districts located within certain parishes to assess and collect a service charge or rates of service charges on each residential or commercial structure within the boundaries of the district; to provide for adoption of a resolution by the governing authority of the district; to provide for approval by a majority of electors of the district voting at an election held for that purpose; to provide for the use of such revenues; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 297—

BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 33:2742.62, relative to non-profit corporations and associations; to authorize the levy of a service reimbursement fee by the city of New Orleans; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 137—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 33:9091.1(F)(1) and (3), relative to the Lakeview Crime Prevention District; to provide for changing the amount and the term of the parcel fee levied for the district; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 205—

BY REPRESENTATIVE JEFFERSON

AN ACT

To enact R.S. 33:9091.9, relative to the Twinbrook Security District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 206—

BY REPRESENTATIVE JEFFERSON

AN ACT

To enact R.S. 33:9091.9, relative to the Touro Bouligny Security District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of taxes and for the use thereof; and to provide for related matters.

Reported favorably.

June 6, 2005

HOUSE BILL NO. 280—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 38:2869, 2870(A)(7), and 2872, relative to the Claiborne Parish Watershed District; to provide relative to the powers and duties of the board of commissioners; to provide relative to contracts of the district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 376—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 33:7702, relative to waterworks districts; to provide relative to the procedures for consolidating certain waterworks districts in the parish of Sabine; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 379—

BY REPRESENTATIVE HUTTER

AN ACT

To enact Chapter 17-D of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:850.1, relative to St. Bernard Parish; to create the St. Bernard Parish Arts, Culture, and Entertainment District; to provide relative to the purpose, governance, powers, and duties of the district; to provide relative to district plans; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 426—

BY REPRESENTATIVE WALKER AND SENATOR HINES

AN ACT

To amend and reenact R.S. 33:130.581(A), 130.582(A)(introductory paragraph), 130.583(introductory paragraph), (4), and (5), and 130.584(A) and (B)(introductory paragraph) and to enact R.S. 33:130.582(A)(9), (B)(3), and (D) and 130.585, relative to economic development in Avoyelles Parish; to create and provide for the Avoyelles Parish Economic Development District; to provide relative to the powers, duties, governing authority, and advisory board of the district; to provide relative to the Economic Development Board for the Parish of Avoyelles and its advisory board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 853—

BY REPRESENTATIVES HUTTER AND ODINET

AN ACT

To enact Chapter 13-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.91, relative to St. Bernard Parish; to create the St. Bernard Parish Housing, Redevelopment and Quality of Life Commission; to provide for the formation of a program by St. Bernard Parish for the utilization of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas in accordance with redevelopment plans or projects approved by the local governing body; to define the duties, liabilities, authority, and functions of such redevelopment commission, including the acquisition of property by purchase, gift, expropriation, or otherwise; to authorize the commission to levy and collect ad valorem and sales and use taxes, subject to voter approval; to dispose of property by sale or lease; to issue bonds, borrow money, and give security therefor; to provide for notice and hearing; to enter into agreements to secure federal aid; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; to provide for tax exemptions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CLEO FIELDS
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 52—

BY SENATOR CHEEK

AN ACT

To enact R.S. 42:1123(36), relative to the Code of Governmental Ethics; to provide for an exception to the code for certain employment by the DeSoto Parish Waterworks District No.1; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 52 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 2, change "1123(36)" to "1121(H)"

AMENDMENT NO. 2

On page 1, line 3, change "code for" to "post-service restrictions to allow" and after "by the" insert "board of commissioners of the"

AMENDMENT NO. 3

On page 1, line 7, change "1123(36)" to "1121(H)"

AMENDMENT NO. 4

On page 1 delete lines 8 through 17 and insert:

"§1121. Assistance to certain persons after termination of public service

* * *

H. Nothing in this Section shall prohibit a former member of the board of commissioners of the DeSoto Parish Waterworks District No. 1 from being employed by such board.

Section 2. R.S. 42:1121(H) as enacted by the provision of this Act is hereby repealed.

Section 3. (A) Section 1 of this Act and this Section shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

(B) Section 2 of this Act shall become effective on August 1, 2007."

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 197—

BY SENATOR BAJOE

AN ACT

To enact R.S. 18:1363(G), relative to voting, voting machines, and equipment; to provide for the allocation of additional voting machines and commissioners in case of overcrowded precincts; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Jones, the bill was read by title, ordered engrossed, and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 423—

BY REPRESENTATIVES BRUNEAU, LANCASTER, PITRE, JEFFERSON, LAFONTA, CAZAYOUX, AND FAUCHEUX
AN ACT

To amend and reenact R.S. 18:3(C), 110(B)(3), 115(F), 423(D), 462(B), 493, 533(D), 563(D) and (E), 566.2(B), 573(A)(3) and (D), 591, 601, 602(A), (B), (C), (E)(2)(a), and (F), 604(B)(1) and (2)(a), 621(A)(2), 1307(B)(2), (D), and (E), 1309(D)(1), 1311(D)(1), 1314, 1400.3(D)(1), and 1402(A), (B)(1), and (C) and to enact R.S. 18:502.1, 563(F), 1307(F), 1461(A)(23), and 1485(D), relative to the Election Code; to provide for the verification by registrars of voters of signatures on petitions; to provide relative to when a change in registration becomes effective after a voter changes his residence; to provide relative to the manner of qualifying for certain offices; to provide for students at an institution of higher learning outside of their parish of residence to register to vote absentee by mail and to vote as such without first appearing in the office of the registrar; to provide for a person who appears in the office of the registrar to establish his identity prior to the absentee in person voting period to vote absentee by mail; to provide relative to the personnel of certain parish boards of election supervisors; to specify the deadline for objections to candidacy; to provide relative to payment for use of private property as a polling place; to require the appropriate clerk of court to provide notice at the appropriate polling places of a candidate who has withdrawn but whose name appears on the ballot; to prohibit the use of certain electronic communication devices while voting and to exempt certain electronic communication devices used for assisted voting; to provide relative to the use of absentee commissioners or commissioners for the counting and tabulation of provisional ballots; to provide relative to the procedures for the opening and inspection of voting machines after the election; to provide relative to the deadlines for making appointments and issuing proclamations to fill vacancies in certain offices; to provide relative to selecting an election date for filling a vacancy in the office of constable or marshal; to provide relative to the deadline for submitting an application to vote by mail for certain hospitalized persons and the handling of such voters' absentee ballots; to provide relative to compensation of certain temporary employees in the registrars' offices; to provide relative to identification of voters who vote absentee in person; to provide relative to proper parties to objections to candidacy and election contests; to provide for an election offense relative to the untimely submission of voter registration applications; to provide relative to campaign finance filings submitted to the supervisory committee; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 423 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 2, after "423(D)," delete "462(B),"

AMENDMENT NO. 2

On page 1, line 3, delete "563(D) and (E),"

AMENDMENT NO. 3

On page 1, at the end of line 4, after "1309(D)(1)," insert "1309.1(A),"

AMENDMENT NO. 4

On page 1, line 5, after "1314," and before "1400.3(D)(1)," insert "1373(A)(1),"

AMENDMENT NO. 5

On page 1, line 6, after "18:502.1," delete "563(F),"

AMENDMENT NO. 6

On page 1, delete lines 19 and 20 in its entirety and insert "ballot; to"

AMENDMENT NO. 7

On page 2, line 3, after "voting machines" and before "after the election;" insert "before and"

AMENDMENT NO. 8

On page 2, line 16, after "423(D)," delete "462(B)," and after "533(D)," delete "563(D)"

AMENDMENT NO. 9

On page 2, line 17, delete "and (E),"

AMENDMENT NO. 10

On page 2, line 18, after "1309(D)(1)," and before "1311(D)(1)," insert "1309.1(A),"

AMENDMENT NO. 11

On page 2, at the end of line 18, after "1314," insert "1373(A)(1),"

AMENDMENT NO. 12

On page 2, line 20, after "18:502.1," delete "563(F),"

AMENDMENT NO. 13

On page 5, delete lines 9 through 16

AMENDMENT NO. 14

On page 6, line 9, change "~~not exceed~~" to "not exceed"

AMENDMENT NO. 15

On page 6, delete lines 12 through 28

AMENDMENT NO. 16

On page 7, delete lines 1 through 5

AMENDMENT NO. 17

On page 17, between lines 4 and 5, insert the following:

"§1309.1. Notice of preparation of machines for in-person absentee voting; examination by candidate or his representative; sealing machines

A. Prior to the conduct of absentee voting, the parish custodian shall notify each candidate of the time and place at which the voting machines will be prepared for in-person absentee voting. The notice shall state the time and place at which ~~the machines will be sealed he will begin preparation of the machines for sealing~~ and that the candidate or his representative may be present to observe the preparation of the machines for sealing by the parish custodian ~~and with~~. Each candidate or his representative shall be afforded ~~an~~ a reasonable opportunity to inspect and test vote the machines to see that they are in the proper condition for use in the election, which opportunity shall not be less than thirty minutes beginning at the time designated by the parish custodian to begin preparation of the machines for sealing. However, no candidate, representative, or citizen shall interfere with the registrar of voters, parish custodian, or any employee or technician or assume any of their duties.

* * *

AMENDMENT NO. 18

On page 20, between lines 13 and 14, insert the following:

"§1373. Notice of preparation of machines for election; examination by candidate or his representative; securing and sealing machines

A.(1) The secretary of state shall notify each parish custodian of the time and place at which he will begin preparing the voting machines for an election. The parish custodian then shall mail a notice to each candidate in the election, stating the time and place at

which ~~the machines will be sealed~~ he will begin preparation of the machines for sealing and stating that the candidate or his representative may be present to observe the preparation of the machines for sealing by the parish custodian ~~and will~~. Each candidate or his representative shall be afforded ~~an~~ a reasonable opportunity to inspect and test vote the machines to see that they are in the proper condition for use in the election, ~~which shall not be less than thirty minutes beginning at the time designated by the parish custodian to begin preparation of the machines for sealing~~. However, no candidate, representative, or citizen shall interfere with the secretary of state or any employee or technician or assume any of their duties. Each candidate or representative shall identify to the commissioner of elections the candidate whom he is representing. In addition, any citizen of this state may be present to observe the sealing of the machines by the parish custodian and shall be afforded an opportunity to inspect the machines to see that they are in proper condition for use in the election.

* * *

On motion of Senator Jones, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

Motion to Recommit

Senator Mount asked for and obtained a suspension of the rules and recommitted House Bill No. 212 from the Committee on Education to the Committee on Revenue and Fiscal Affairs.

Rules Suspended

Senator Marionneaux asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Resolutions to be Adopted, Subject to Call

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 46 be called from the Calendar at this time.

SENATE RESOLUTION NO. 46—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist James P. Lambert upon his death in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

Regular Order of the Day Resumed

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 354— (Substitute of Senate Bill No. 314 by Senator Marionneaux)

BY SENATOR MARIONNEAUX

AN ACT

To enact Part XLII-A of Chapter 5 of Title 40 of the Louisiana Revised Statute of 1950, to be comprised of R.S. 40:1300.30, relative to the preservation and improvement of the health, comfort, and environment of the people of the state by limiting exposure to tobacco smoke; to create the Louisiana Clean Indoor Air Act; to provide relative to purposes, definitions, restrictions, exceptions and penalties; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 354 by Senator Marionneaux

AMENDMENT NO. 1

On page 4, between lines 11 and 12, insert the following:

"(16) 'Tobacco bar' means a business that in a tax year generates ten percent or more of its total annual gross income or one hundred thousand dollars or more in annual sales from the on-site sale of tobacco products and the rental of on-site humidors, not including any sales from vending machines. Any business that does not qualify under this definition in any tax year shall thereafter never again qualify."

AMENDMENT NO. 2

On page 4, line 12, change **"(16)"** to **"(17)"**

AMENDMENT NO. 3

On page 4, line 17, change **"(17)"** to **"(18)"**

AMENDMENT NO. 4

On page 6, line 3, change **"no"** to **"any"** and on line 4, change **"shall"** to **"may"**

AMENDMENT NO. 5

On page 6, line 5 after **"smoking"** insert a period **"."** and delete the remainder of the line

AMENDMENT NO. 6

On page 6, between lines 5 and 6 insert the following:

"(2) Nothing in this Part shall prohibit smoking in any of the following places:"

AMENDMENT NO. 7

On page 6, between lines 23 and 24, insert the following:

"(i) The licensed premises, as defined in Chapter 4 and 11 of Title 4 and Chapters 4, 5, 6, and 7 of Title 27 of the Louisiana Revised Statutes of 1950, or any other gaming operation authorized by law, except that smoking shall be prohibited in establishments licensed for the placement of not more than three video draw poker devices in such licensed establishment pursuant to R.S. 27:306(A)(2)."

AMENDMENT NO. 8

On page 6, line 24, change **"(2)"** to **"(3)"** and on line 25 after **"employee"** insert a period **"."** and delete line 26

AMENDMENT NO. 9

On page 7, line 11, delete **"the person in charge"** and insert in lieu thereof **"an employee"**

AMENDMENT NO. 10

On page 7, line 19, change **"domicile"** to **"location"**

AMENDMENT NO. 11

On page 7, line 20, delete "is guilty of a misdemeanor"

AMENDMENT NO. 12

On page 7, line 21, delete "offense and"

Senator Marionneaux moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Cheek	Marionneaux
Total - 3		

NAYS

Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Hollis	Nevers
Cain	Jackson	Romero
Chaisson	Jones	Schedler
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	McPherson	
Total - 29		

ABSENT

Mr. President	Ellington	Heitmeier
Bajoie	Gautreaux N	
Total - 5		

The Chair declared the amendments were rejected.

The bill was read by title. Senator Marionneaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Broome	Fields	McPherson
Chaisson	Gautreaux B	Nevers
Dardenne	Jones	Schedler
Duplessis	Lentini	Ullo
Ellington	Marionneaux	
Total - 14		

NAYS

Adley	Dupre	Mount
Amedee	Fontenot	Murray
Barham	Hollis	Romero
Boasso	Jackson	Smith
Cain	Kostelka	Theunissen
Cheek	Malone	
Cravins	Michot	
Total - 19		

ABSENT

Mr. President	Gautreaux N
Bajoie	Heitmeier
Total - 4	

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Marionneaux, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Senate Resolutions on Second Reading Reported by Committees

The following Senate Resolutions reported by Committees were taken up and acted upon as follows:

SENATE RESOLUTION NO. 60—

BY SENATOR MOUNT

A RESOLUTION

To urge and request the Louisiana State Law Institute to study the feasibility of a parenting coordination act.

Reported favorably by the Committee on Senate and Governmental Affairs.

The resolution was read by title. Senator Mount moved to adopt the Senate Resolution.

Senate Concurrent Resolutions to be Adopted, Subject to Call

The following Senate Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Dupre asked that Senate Concurrent Resolution No. 49 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 49—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To approve the Fiscal Year 2005-2006 Coastal Wetlands Conservation and Restoration Plan, as adopted by the Wetlands Conservation and Restoration Authority ("authority").

The resolution was read by title. Senator Dupre moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N	Heitmeier
Total - 3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Called from the Calendar

Senator Jones asked that Senate Concurrent Resolution No. 63 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 63—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to conduct a study and manage a master planning process using research, data analysis, community input and experience to recommend programs, site design, and development plans for the creation of the Northeast Louisiana Delta Learning Center.

The resolution was read by title. Senator Jones moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N	Heitmeier
Total - 3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

SENATE BILL NO. 126—

BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 45:844.50(A) and to enact R.S. 45:844.56, relative to public utilities and carriers relationship with local government; to require a local referendum before a local governing authority can provide certain telecommunications services; to provide for the impact of a local governing authority providing covered services on certain existing obligations; and to provide for related matters.

The bill was read by title. Senator Broome moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Barham	Fields	Murray
Boasso	Fontenot	Nevers
Broome	Gautreaux B	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Total - 32		

NAYS

Michot	Mount
Total - 2	

ABSENT

Bajoie	Gautreaux N	Heitmeier
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Broome moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 253—

BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 46:2742(B)(1), (2), (4), (5)(a), (b) and (c), (6) and (8) and to enact R.S. 46:2742(B)(5)(d) and (10) and (C), relative to the case mix reimbursement for nursing facilities; to require payment and resource requirement be adjusted quarterly; to provide for a floor for direct care costs; to provide relative to square footage per bed to be allowed; to provide relative to depreciation and a minimum rate of return for facilities; to provide relative to renovations, long-term ownership, and property insurance; to provide relative to pass-through expenses, allowable costs and impact of budget reductions on nursing home reimbursement; and to provide for related matters.

On motion of Senator Cheek, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 98—

BY SENATOR CRAVINS

AN ACT

To enact Part III of Chapter 8 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:861 through 861.21, and R.S. 36:4(X), relative to public employment; to enact the Public Employee Partnership Act; to establish the Public Employees Labor Relations Board; to provide for the membership, powers, and duties of the board; and to provide for related matters.

On motion of Senator Cravins, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 141—

BY SENATORS ROMERO, HINES, CAIN, CRAVINS, DUPRE, B. GAUTREAUX, N. GAUTREAUX, MICHOT, MOUNT AND THEUNISSEN

AN ACT

To amend and reenact R.S. 32:387.7(B), relative to special permits; to provide for trucks hauling sugarcane; to extend the issuance of special permits to owners or operators of vehicles hauling sugarcane who have not added an additional single axle to their sugarcane trailers to August 1, 2010; and to provide for related matters.

The bill was read by title. Senator Romero moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Amedee	Ellington	McPherson
Barham	Fields	Michot
Boasso	Fontenot	Mount
Broome	Gautreaux B	Murray
Cain	Hollis	Nevers
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 33		

NAYS

Adley
Total - 1

ABSENT

Bajoie	Gautreaux N	Heitmeier
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 214—

BY SENATORS BARHAM AND CRAVINS

AN ACT

To amend and reenact R.S. 17:24.4(F)(3), relative to alternative assessments for students with certain disabilities; to require the Department of Education with the approval of the State Board of Elementary and Secondary Education to provide alternative assessments for students with persistent academic disabilities; to provide for minimum accommodations; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed Senate Bill No. 214 by Senator Barham

AMENDMENT NO.1

On page 3, between lines 1 and 2 insert the following:

"(iii) At each IEP meeting a written list of accommodations shall be discussed and provided to the parent of each student with a disability."

On motion of Senator Barham, the amendments were adopted.

The bill was read by title. Senator Barham moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount

Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N	Heitmeier
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 264—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 17:427.4 and to enact R.S. 17:427.5, relative to public schools and school children; to benefit schools and children by encouraging the availability of certified teachers; to provide for programs designed to provide incentives for certified classroom teachers to work in certain schools in disadvantaged geographical areas; and to provide for related matters.

Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Engrossed Senate Bill No. 264 by Senator Jones

AMENDMENT NO.1

On page 2, line 2, after "**Delta**" delete "**parishes**" and insert "**region and Florida parishes region**"

AMENDMENT NO. 2

On page 2, line 14, after "**delta region**" insert "**and florida parishes region**"

On motion of Senator Nevers, the amendments were adopted.

On motion of Senator Jones, the amended bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 288—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4720.52(A)(1) and (B), 4720.53, 4720.56(7) through (17), 4720.57(A), 4720.59(D)(5) and (E)(2) through (4), 4720.60(A)(3), 4720.61(A), 4720.62(A)(3), 4720.65(A)(6), 4720.71(7), (9)(introductory paragraph) and (9)(a), (d), (f), and (g) and to enact R.S. 33:4720.56(18) and (19), 4720.59(E)(5) and (6), 4720.61(B)(5) and (O) and 4720.72, relative to the New Orleans Community Improvement Act; to authorize the issuance of revenue bonds; to provide for additional authority and powers; to provide for the purposes to be liberally construed; and to provide for related matters.

On motion of Senator Murray, the bill was read by title and returned to the Calendar, subject to call.

June 6, 2005

SENATE BILL NO. 355— (Substitute of Senate Bill No. 234 by Senator Ullo)

BY SENATOR ULLO

AN ACT

To enact R.S. 17:3048.5, relative to the Louisiana Tuition Opportunity Program for Students; to provide for a TOPS-Tech Early Start Award; to provide for eligibility and continuation requirements for such award; to provide for the administration and implementation of such award program; to provide for recommendations relative to TOPS-Tech; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Barham	Fields	Mount
Boasso	Fontenot	Murray
Broome	Gautreaux B	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Bajoie	Heitmeier
Gautreaux N	Michot
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 32—

BY SENATOR ADLEY

A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(B)(1)(a) of the Constitution of Louisiana, relative to ad valorem property tax exemption; to provide for an exemption for certain leases of certain hospitals; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Barham	Fields	Mount
Boasso	Fontenot	Murray
Broome	Gautreaux B	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen

Dardenne
Total - 33

Lentini

Ullo

NAYS

Total - 0

ABSENT

Bajoie
Gautreaux N
Total - 4

Heitmeier
Michot

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 34—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 47:6005, relative to income and franchise tax; to grant a tax credit for the purchase of certain equipment and/or service contracts related to recycling; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 34 by Senator McPherson

AMENDMENT NO. 1

On page 3, line 19, following "means" and before "as" change "material" to "recovered materials" and following "R. S. 30:" change "2412(7)" to "2412"

AMENDMENT NO. 2

On page 4, line 4, following "**R. S.**" and before "**:2171**" change "**39**" to "**30**"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 34 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 47:6005," and insert in lieu thereof the following: "R.S. 47:293(7) and 6005 and to enact R.S. 47:293(2) and (6)(a)(i)."

AMENDMENT NO. 2

On page 1, line 4 after "recycling;" insert "to grant a deduction for excess itemized deductions;"

AMENDMENT NO. 3

On page 1, between lines 5 and 6 insert the following:

"Section 1. R.S. 47:293(7) is hereby amended and reenacted and R.S. 47:293(2) and (6)(a)(i) are hereby enacted to read as follows:"

"§293. Definitions

The following definitions shall apply throughout this Part, unless the context requires otherwise:

* * *

(2) "Excess federal itemized personal deductions" for the purposes of this Part, means the amount by which the federal itemized personal deductions exceed the amount of federal

standard deductions designated for the filing status used for the taxable period on the individual income tax return required to be filed.

* * *

(6)(a) "Tax Table Income", for resident individuals, means adjusted gross income plus interest on obligations of a state or political subdivision thereof, other than Louisiana and its municipalities, title to which obligations vested with the resident individual on or subsequent to January 1, 1980, and less:

(i) **Excess federal itemized personal deductions.**

* * *

(7) "Tax table income", for nonresident individuals, means the amount of Louisiana income, as provided in this Part, allocated and apportioned under the provisions of R.S. 47:241 through 247, plus the total amount of the personal exemptions and deductions already included in the tax tables promulgated by the secretary under authority of R.S. 47:295, less the proportionate amount of the federal income tax liability, **excess federal itemized personal deductions**, the exclusion provided for in R.S. 47:297.3 for S Bank shareholders, and personal exemptions and deductions provided for in R.S. 47:294. The proportionate amount is to be determined by the ratio of Louisiana income to federal adjusted gross income. When federal adjusted gross income is less than Louisiana income, the ratio shall be one hundred percent."

AMENDMENT NO. 4

On page 1, line 7, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 7, between lines 1 and 2, insert the following:

"Section 3. The provisions of Section 1 of this Act shall become effective on December 31, 2005 and shall apply to all tax years beginning after that date."

AMENDMENT NO. 6

On page 7, delete line 2 in its entirety and insert in lieu thereof the following:

"Section 4. The provision of Sections 2, 3 and this Section shall become effective upon signature by the governor or, if not"

Senator Mount asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was not germane to the bill.

Senator Cain moved to override the ruling of the Chair that the amendment is not germane to the bill.

Senator McPherson made a substitute motion to uphold the ruling of the Chair.

ROLL CALL

The roll was called on the motion to uphold the ruling of the Chair with the following result:

YEAS

Mr. President	Fields	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Chaisson	Hollis	Schedler
Cheek	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Lentini	Ullo
Dupre	Marionneaux	
Ellington	McPherson	
Total - 25		

NAYS

Adley	Cain	Malone
Amedee	Fontenot	Michot
Barham	Kostelka	Romero

Total - 9

ABSENT

Bajoie	Cravins	Gautreaux N
Total - 3		

The Chair declared the ruling of the Chair was upheld.

The amendment was withdrawn.

The bill was read by title. Senator McPherson moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N
Total - 2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 89—

BY SENATORS NEVERS AND MARIONNEAUX
A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(i) and (iii) and (2)(a) of the Constitution of Louisiana, relative to ad valorem property tax; to provide for a special assessment level for certain deaths, disabilities, and other hazards of the military; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Engrossed Senate Bill No. 89 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 2, after "2(a)" insert "and add Article VII, Section 18(G)(1)(a)(iv)"

AMENDMENT NO. 2

On page 1, line 5, after "military;" insert: "to provide for certification of eligibility;"

AMENDMENT NO. 3

On page 1, line 10, after "2(a)" insert "and add Article VII, Section 18(G)(1)(a)(iv)"

AMENDMENT NO. 4

On page 2, line 2, after "special assessment level" delete the colon ":" and insert ", **provided that such person or persons remain qualified for the special assessment level:**"

AMENDMENT NO. 5

On page 2, between lines 15 and 16, insert the following:

"(iv) An owner who is below the age of sixty-five and who has applied for and received the special assessment level may qualify for and receive the special assessment level in the subsequent year by certifying to the assessor of the parish, or in the parish of Orleans, the assessor of the district where the property is located, that such person or persons' adjusted gross income in the prior tax year satisfied the income requirement of this Section."

AMENDMENT NO. 6

On page 2, between lines 28 and 29, insert:

"(v) The certification required by Subitem (1)(a)(iv) of this Paragraph is provided to the assessor."

AMENDMENT NO. 7

On page 3, line 29, after "tax year" insert "; to require annual certification of eligibility by those under sixty-five years of age."

On motion of Senator Nevers, the amendments were adopted.

The bill was read by title. Senator Nevers moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	Cravins	Gautreaux N
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 165—
BY SENATOR HEITMEIER**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 18(G)(1)(a)(i) of the Constitution of Louisiana, relative to ad valorem property tax; to grant a special assessment level to certain disabled people; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Duplessis	Malone	
Total - 34		

NAYS

Total - 0

ABSENT

Chaisson	Lentini	Michot
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Jones asked that Senate Bill No. 264 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 264—
BY SENATOR JONES**AN ACT**

To amend and reenact R.S. 17:427.4 and to enact R.S. 17:427.5, relative to public schools and school children; to benefit schools and children by encouraging the availability of certified teachers; to provide for programs designed to provide incentives for certified classroom teachers to work in certain schools in disadvantaged geographical areas; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 264 by Senator Jones

AMENDMENT NO. 1

On page 2, line 2, after "**Delta**" delete "**parishes**" and insert "**region and Acadiana parishes region**"

AMENDMENT NO. 2

On page 2, line 14, after "**delta region**" insert "**and acadiana parishes region**"

On motion of Senator Cravins, the amendments were adopted.

Floor Amendments Sent Up

Senator Boasso sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boasso to Engrossed Senate Bill No. 264 by Senator Jones

AMENDMENT NO.1

On page 2, line 2, after "**Delta**" delete "**parishes**" and insert "**region and East Coast parishes region**"

AMENDMENT NO. 2

On page 2, line 14, after "**delta region**" insert "**and east coast parishes region**"

On motion of Senator Boasso, the amendments were adopted.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 264 by Senator Jones

AMENDMENT NO.1

On page 2, line 2, after "**Delta**" delete "**parishes**" and insert "**region and North Central parishes region**"

AMENDMENT NO. 2

On page 2, line 14, after "**delta region**" insert "**and north central parishes region**"

On motion of Senator Adley, the amendments were adopted.

The bill was read by title. Senator Jones moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	

Total - 34

NAYS

Total - 0

ABSENT

Bajoie	Cheek	Gautreaux N
--------	-------	-------------

Total - 3

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Marionneaux asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Resolutions
to be Adopted, Subject to Call**

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 47 be called from the Calendar at this time.

SENATE RESOLUTION NO. 47—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Huey P.L. Fassbender upon his death in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

Regular Order of the Day Resumed**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Dardenne asked that Senate Bill No. 291 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 291—

BY SENATORS DARDENNE, HOLLIS AND SCHEDLER

AN ACT

To To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.50 through 9039.66, relative to local and regional economic development; to provide for the creation of local and regional economic development districts that may operate on a local, municipality, and multiparish basis to promote an economic development fund statewide; to provide for definitions; to provide for the appointment of members to the board of the local and regional economic development districts; to provide for the board's functions, powers, and duties; to authorize the board to exercise the power of taxation, levy assessments on property, and collect certain fees; to authorize the districts to undertake certain projects for the promotion of local and regional economic development activities; to provide procedures for the issuance of bonds, notes, certificates, or other evidences of indebtedness; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 291 by Senator Dardenne

AMENDMENT NO.1

On page 1, line 5, change "municipality, and" to "municipal, parish, or"

AMENDMENT NO. 2

On page 2, line 9, change "purpose" to "purposes"

AMENDMENT NO. 3

On page 2, delete line 17

AMENDMENT NO. 4

On page 3, line 7, change "R.S. 33:9039.59" to "R.S. 33:9039.64"

AMENDMENT NO. 5

On page 3, line 28, delete "or public entity"

AMENDMENT NO. 6

On page 4, line 1, between "ordinance" and "which" insert "or ordinances"

AMENDMENT NO. 7

On page 4, line 15, change "advisory" to "finance and development"

AMENDMENT NO. 8

On page 4, lines 18 and 20, change "board" to "authority"

AMENDMENT NO. 9

On page 4, line 25, between "each" and "parish" insert "participating"

AMENDMENT NO. 10

On page 9, line 14, between "4 of" and "Title" insert "Subtitle II of"

AMENDMENT NO. 11

On page 9, line 24, between "9039.58" and the comma "," insert "(A)"

AMENDMENT NO. 12

On page 10, line 1, between "9039.58" and the comma "," insert "(A)"

AMENDMENT NO. 13

On page 10, line 21, delete "or constitutional"

AMENDMENT NO. 14

On page 11, at the beginning of line 23, add "A."

AMENDMENT NO. 15

On page 14, line 9, change "(16)" to "B."

AMENDMENT NO. 16

On page 14, line 24, delete "constitutional or"

AMENDMENT NO. 17

On page 28, line 10, change "evidence" to "evidenced"

On motion of Senator Dardenne, the amendments were adopted.

Senator Chaisson in the Chair

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 291 by Senator Dardenne

AMENDMENT NO. 1

On page 31, at the beginning of line 17, add "A."

AMENDMENT NO. 2

On page 31, between lines 20 and 21, insert the following:

"B. Notwithstanding any provision to the contrary, this Chapter shall not supersede or impair any existing obligation of any contract between any participating parish or municipality and another party relating to a project listed in R.S. 33:9039.64 within an established economic development district, or prohibit any participating parish or municipality within an economic development district from contracting on an individual basis for the services listed in R.S. 33:9039.64 in the future."

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 291 by Senator Dardenne

AMENDMENT NO. 1

On page 16, line 13, delete "venue"

AMENDMENT NO. 2

On page 17, line 5, after the period ":", delete the remainder of the line and delete lines 6 through 9 in their entirety.

AMENDMENT NO. 3

On page 17, line 27, delete "venue"

AMENDMENT NO. 4

On page 18, line 2, delete "venue"

AMENDMENT NO. 5

On page 18, line 9, delete "venue"

AMENDMENT NO. 6

On page 18, line 15, delete "venue"

AMENDMENT NO. 7

On page 18, line 18, delete "venue"

AMENDMENT NO. 8

On page 18 line 21, delete "venue"

AMENDMENT NO. 9

On page 18, line 23, after the period ":", delete the remainder of the line and delete lines 24 through 27 in their entirety.

AMENDMENT NO. 10

On page 18, line 28, delete "venue"

AMENDMENT NO. 11

On page 19, line 8, after "agreement" and before the period ":", insert "with the sales tax collector"

AMENDMENT NO. 12

On page 19, delete line 11 in its entirety, and insert "parking in a parking facility in the district"

AMENDMENT NO. 13

On page 19, delete lines 12 through 14 in their entirety, and on line 15, delete "other time."

AMENDMENT NO. 14

On page 20, line 3, delete "(1)" and delete lines 5 through 8 in their entirety.

AMENDMENT NO. 15

On page 20, delete lines 9 through 11 in their entirety.

AMENDMENT NO. 16

On page 20, line 12, change "(2)" to "E.(1)"

AMENDMENT NO. 17

On page 20, line 15, change "(3)" to "(2)"

AMENDMENT NO. 18

On page 20, line 22, delete "venue"

AMENDMENT NO. 19

On page 21, line 4, delete "(1)" and delete lines 6 through 9 in their entirety.

AMENDMENT NO. 20

On page 21, line 14, delete "venue"

AMENDMENT NO. 21

On page 21, line 15, delete "venue"

AMENDMENT NO. 22

On page 22, line 12, delete "venue"

AMENDMENT NO. 23

On page 22, line 15, delete "venue"

AMENDMENT NO. 24

On page 22, line 18, delete "venue"

AMENDMENT NO. 25

On page 22, line 20, after "tax", delete the remainder of the line, delete lines 21 through 24 in their entirety.

AMENDMENT NO. 26

On page 22, line 25, delete "venue"

AMENDMENT NO. 27

On page 23, between lines 19 and 20, insert the following:

"(e) Development and implementation of programs to retain and create jobs."

AMENDMENT NO. 28

On page 23, line 20, change "(e)" to "(f)"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 291 by Senator Dardenne

AMENDMENT NO. 1

On page 4, lines 7 and 8, delete "and the power of eminent domain"

AMENDMENT NO. 2

On page 4, at the end of line 14, add "No district created pursuant to this Chapter shall have any authority or power to expropriate."

AMENDMENT NO. 3

On page 6, line 9, between "taxes," and "the" insert "and" and on line 10, delete "and the use of eminent domain powers"

AMENDMENT NO. 4

On page 7, at the end of line 16 and the beginning of line 17, delete "and any sub-district created by the district", on line 20, delete "and any sub-district created by the district", and on line 22, delete "any sub-district created by the district"

AMENDMENT NO. 5

On page 9, line 25, after "purposes" insert a period ".", delete the remainder of the line and delete lines 26 through 29 in their entirety.

AMENDMENT NO. 6

On page 10, at the end of line 2, delete "for", delete line 3 in its entirety, and at the beginning of line 4, delete "levy"

AMENDMENT NO. 7

On page 10, line 6, after "boards" insert a period ".", delete the remainder of the line and delete lines 7 and 8 in their entirety and insert "Any such tax".

AMENDMENT NO. 8

On page 10, line 25, delete "expropriate."

AMENDMENT NO. 9

On page 11, delete lines 9 through 11 and insert "Any advertisement for bids"

AMENDMENT NO. 10

On page 14, line 1, after "R.S. 33:4717.2", delete the remainder of the line, delete lines 2 through 4 and insert a period "."

AMENDMENT NO. 11

On page 14, line 18, between "municipality," and "the district", insert "by resolution adopted by its governing authority."

AMENDMENT NO. 12

On page 14, line 20, between "taxes," and "provided" insert "and any other tax specifically authorized in this Chapter."

AMENDMENT NO. 13

On page 14, line 21, change "or subdistrict pursuant to an election called under state law for such purpose" to "and by a majority of qualified electors residing and voting in each participating municipality and parish in the district, at an election held pursuant to the Louisiana Election Code for such purpose."

AMENDMENT NO. 14

On page 16, lines 14 and 15, change "at an election held pursuant to the Louisiana Election Code" to "in accordance with R.S. 33:9039.58(A)"

AMENDMENT NO. 15

On page 18, delete lines 3 and 4 in their entirety and at the beginning of line 5, change "(3)" to "(2)"

AMENDMENT NO. 16

On page 18, lines 5 and 6, change "at an election held pursuant to the Louisiana Election Code" to "in accordance with R.S. 33:9039.58(A)"

AMENDMENT NO. 17

On page 18, line 7, change "(4)" to "(3)"

AMENDMENT NO. 18

On page 19, line 16, change "at an election held pursuant to the Louisiana Election Code" to "in accordance with R.S. 33:9039.58(A)"

AMENDMENT NO. 19

On page 20, lines 27 and 28, change "at an election held pursuant to the Louisiana Election Code" to "in accordance with R.S. 33:9039.58(A)"

AMENDMENT NO. 20

On page 21, lines 18 and 19, change "at an election held pursuant to the Louisiana Election Code" to "in accordance with R.S. 33:9039.58(A)"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 291 by Senator Dardenne

AMENDMENT NO.1

On page 4, between lines 14 and 15, insert "**Nothing in this Act shall permit the economic development districts to impose any kind of fee, rules or regulations which govern or affect the use of the navigable waterways of Louisiana and, further, nothing in this act shall be construed as requiring deep-water Ports or other Port authorities or commissions to secure a cooperative agreement from the economic development districts or other Port authorities or commissions when such deep water Port or other Port authority or commission is carrying out its powers and functions, regardless of where such powers and functions are exercised.**"

AMENDMENT NO. 2

On page 23, at the end of line 11, add the following:

"However, no district may undertake to plan, acquire, establish, design, develop, construct, equip, improve, repair, rehabilitate, renovate, operate, or maintain any project within the boundaries of a port, a port, a harbor, and terminal district, or a port, harbor, terminal, and industrial district involving or related to a port facility unless the district has entered into an intergovernmental services agreement or cooperative endeavor agreement with the port authority."

On motion of Senator Dardenne, the amendments were adopted.

Mr. President in the Chair

The bill was read by title. Senator Dardenne moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N	Heitmeier
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Jones asked that Senate Bill No. 325 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 325— BY SENATOR JONES

AN ACT

To enact R.S. 33:9038.28, relative to special districts; to create the city of Monroe Riverfront Development District within the Monroe Downtown Development District; to provide relative to the purpose, governance, duties, and authority of the district; to provide for its rights and powers, including the authority for tax increment financing by the district, subject to the approval of district voters; to provide for an effective date; and to provide for related matters.

Motion

On motion of Senator Jones, Senate Bill No. 325 was made Special Order of the Day No. 2 on Wednesday, June 8, 2005, immediately following the Morning Hour.

Called from the Calendar

Senator Jones asked that Senate Bill No. 328 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 328— BY SENATOR JONES

AN ACT

To enact R.S. 33:2740.51(M), (N), (O), and (P), and to repeal R.S. 33:2740.51(H), relative to the Southside Economic Development District of the City of Monroe; to provide the board the authority for tax financing by the district; to provide for its termination; and to provide for related matters.

Motion

On motion of Senator Jones, Senate Bill No. 328 was made Special Order of the Day No. 1 on Wednesday, June 8, 2005, immediately following the Morning Hour.

House Concurrent Resolutions on Second Reading Reported by Committees

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 17— BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To urge and request the Governor's Office of Elderly Affairs to develop a comprehensive Internet site with information and resources focused on enhancing and improving the lives of Louisiana's elderly population.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen

Dardenne
Duplessis
Total - 32

Malone
Marionneaux

Ullo

NAYS

Total - 0

ABSENT

Bajoie
Cravins
Total - 5

Gautreaux N
Heitmeier

Kostelka

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Senator Ellington in the Chair

HOUSE CONCURRENT RESOLUTION NO. 21—

BY REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana Commission on Employment of Mental Health Consumers to study and develop a plan to address barriers that prevent persons with mental illness from seeking, obtaining, and maintaining employment.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Dardenne
Duplessis
Total - 32

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Hollis
Jackson
Jones
Lentini
Malone
Marionneaux

McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Bajoie
Cravins
Total - 5

Gautreaux N
Heitmeier

Kostelka

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 84—

BY REPRESENTATIVES DOVE AND BALDONE AND SENATOR DUPRE

A CONCURRENT RESOLUTION

To memorialize the United States Congress and the Louisiana congressional delegation to approve funding for deepening the Houma Navigation Canal, including funding efforts to make beneficial use of the dredge material for embankment stabilization.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Dardenne
Duplessis
Total - 33

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Heitmeier
Hollis
Jackson
Jones
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Bajoie
Cravins
Total - 4

Gautreaux N
Kostelka

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 113—

BY REPRESENTATIVE PITRE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to grant permission to the Lafourche Parish governing authority to install and maintain, at the parish's expense, flashing red lights above stop signs at certain intersections along Louisiana Highway 3235 in Ward 10 of Lafourche Parish..

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 35

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Bajoie
Total - 2

Gautreaux N

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 28—

BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To authorize and request a divided vote Medicare referendum option for state employees who are members of any state or statewide retirement system and who were hired before April 1, 1986.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Heitmeier moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Mr. President	Bajoie	Gautreaux N
Total - 3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 62—

BY REPRESENTATIVE CRAVINS

A CONCURRENT RESOLUTION

To direct the clerk of the House of Representatives and the secretary of the Senate, upon the death of a legislator, to notify the office of facility planning and control within the division of administration of the death of the legislator; to direct the office of facility planning and control within the division of administration to expeditiously notify the clerk of the House of Representatives and the secretary of the Senate about any capital outlay requests the deceased legislator had submitted for inclusion in the capital outlay budget or Capital Outlay Bill for the current fiscal year and for the next fiscal year; and to direct the clerk of the House of Representatives and the secretary of the Senate, upon receipt of such information from the office of facility planning, to notify in a timely manner each legislator who represents in whole or in part the area formerly represented by the deceased legislator about any such capital outlay requests submitted by the deceased legislator.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Concurrent Resolution No. 62 by Representative Cravins

AMENDMENT NO.1

On page 2, line 11, after "legislator had" insert "an interest in having"

AMENDMENT NO. 2

On page 2, between lines 13 and 14, insert the following:

"BE IT FURTHER RESOLVED that information provided by the office of facility planning and control shall be based on the inclusion of information on the project request which identifies a deceased legislator as a legislator at interest or shall be based on the zip code of the location of the project identifying the project as being located in the deceased legislator's district."

On motion of Senator Jones, the committee amendment was adopted.

The resolution was read by title. Senator Cravins moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Barham	Fields	McPherson
Boasso	Fontenot	Michot
Broome	Gautreaux B	Mount
Cain	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Jackson	Schedler
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Mr. President	Gautreaux N
Bajoie	Murray
Total - 4	

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 76—

BY REPRESENTATIVE ALARIO

A CONCURRENT RESOLUTION

To authorize and direct the Department of Health and Hospitals to rename the New Orleans Home and Rehabilitation Center as the John J. Hainkel, Jr. Home and Rehabilitation Center.

Reported favorably by the Committee on Senate and Governmental Affairs.

The resolution was read by title. Senator Heitmeier moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero

Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 35

Jackson
Jones
Kostelka
Lentini
Malone

Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Bajoie
Total - 2

Gautreaux N

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Bagneris Rule

Senator Dupre moved to suspend the rules to pass over controversial House Bills on Third Reading and Final Passage temporarily with the intention of taking them up later, in their regular order.

Without objection, so ordered.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

HOUSE BILL NO. 21—

BY REPRESENTATIVE HILL

AN ACT

To enact R.S. 33:4574.14, relative to the Allen Parish Tourist Commission; to provide for the payment of per diem to members of the commission; to limit the number of meetings for which per diem will be paid; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 35

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Bajoie
Total - 2

Gautreaux N

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

HOUSE BILL NO. 256—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 38:301(C)(1)(b) and to enact R.S. 38:301(C)(2)(g) and (3), relative to the Terrebonne Levee and Conservation District; to provide relative to the appropriation of property by the district; to provide relative to notification of property owners; to provide relative to challenges to an appropriation or compensation paid for appropriated property; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 35

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Bajoie
Total - 2

Gautreaux N

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 270—

BY REPRESENTATIVES ANSARDI AND MARTINY

AN ACT

To amend and reenact R.S. 32:411.1(E)(2), relative to the surrender of drivers' licenses; to authorize the issuance of temporary permits electronically under certain circumstances; to provide relative to certain requirements; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Barham
Boasso
Broome
Cain
Chaisson
Cheek

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Hollis
Jackson
Jones
Kostelka

Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith

June 6, 2005

Dardenne
Duplessis
Total - 33

Lentini
Malone

Theunissen
Ullo

NAYS

Total - 0

ABSENT

Bajoie
Cravins
Total - 4

Gautreaux N
Heitmeier

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 297—

BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, KLECKLEY, MORRISH, AND JOHN SMITH AND SENATORS MOUNT AND THEUNISSEN

AN ACT

To amend and reenact R.S. 47:302.14, relative to the dedication of certain sales tax revenues in Calcasieu Parish; to provide for the dedication of proceeds derived from state sales tax on hotel occupancy in Calcasieu Parish; to provide for the issuance of bonds secured by such proceeds; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed House Bill No. 297 by Representative Johns

AMENDMENT NO. 1

On page 2, line 5, after "Technical" change "Institute" to "Community College"

AMENDMENT NO. 2

On page 2, line 14, after "Technical" change "Institute" to "Community College"

On motion of Senator Mount, the amendments were adopted.

The bill was read by title. Senator Mount moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Dardenne
Duplessis
Total - 33

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Hollis
Jackson
Jones
Kostelka
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Bajoie
Cravins

Gautreaux N
Heitmeier

Total - 4

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 313—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.297, relative to Lake St. John in Concordia Parish; to create the Lake St. John Recreation and Water Conservation District as a political subdivision of the state; to create and to provide for a board of commissioners to manage the district; to provide for powers and duties of the district and the board; to authorize the board to levy taxes and parcels fees, issue bonds, and incur debt; to authorize the board to promulgate rules and regulations to accomplish the purposes of the district; to provide for penalties; to provide relative to the duties and powers of the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; to provide with respect to mineral leases; to provide for creation and construction of playgrounds and recreational facilities; to provide for the regulation of commercial establishments; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 35

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Bajoie
Total - 2

Gautreaux N

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 339—

BY REPRESENTATIVE PITRE

AN ACT

To authorize the Grand Isle Port Commission to use certain state property for seafood research; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Malone	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N
Cravins	Lentini
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 390—

BY REPRESENTATIVES STRAIN AND DANIEL

AN ACT

To amend and reenact R.S. 38:421(B) through (F) and (I) through (K) and to enact R.S. 38:421(O), relative to the assessments and forced contribution of levee and drainage districts; to exempt certain produce and other commodities from the local assessment or forced contribution; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N	Lentini
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 434—

BY REPRESENTATIVES CRANE, SALTER, ALARIO, DORSEY, HAMMETT, BRUCE, AND TOOMY AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT

AN ACT

To enact Chapter 41 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3951, and R.S. 36:651(G)(2), relative to the creation of the High School Redesign Commission; to provide for the purpose of the commission; to provide for commission duties and responsibilities, membership, vacancies, compensation, and reporting requirements; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Reengrossed House Bill No. 434 by Representative Crane

AMENDMENT NO. 1

On page 3, between lines 8 and 9, insert the following:

"(20) A dean of a College of Education of a Louisiana public College or University, to be appointed by the Commission of Higher Education."

AMENDMENT NO. 2

On page 3, line 15, after "services" delete the remainder of the line and insert "but may be reimbursed for actual expenses in accordance with state travel regulations should funds become available for this purpose."

On motion of Senator Ullo, the amendments were adopted.

The bill was read by title. Senator Ullo moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N	Lentini
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

June 6, 2005

HOUSE BILL NO. 452—

BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 40:1496(D), relative to certain fire protection districts located in more than one parish; to provide relative to qualifications of members of the boards of commissioners of such districts; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N	Lentini
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 498—

BY REPRESENTATIVES KLECKLEY, GEYMAN, JOHNS, AND MORRISH AND SENATOR THEUNISSEN

AN ACT

To name a portion of Nelson Road Extension in Calcasieu Parish the L'Auberge Boulevard and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 31		

NAYS

Total - 0

ABSENT

Bajoie	Cain	Lentini
Broome	Gautreaux N	Nevers
Total - 6		

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 548—

BY REPRESENTATIVE THOMPSON

AN ACT

To authorize and provide for the transfer of certain property in Richland Parish to the Department of Culture, Recreation and Tourism; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Bajoie	Boasso	Gautreaux N
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 592—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 49:314(B)(3), relative to appropriations from the Transportation Trust Fund; to change the time period for the Attorney General to certify the constitutionality of appropriations from such fund prior to the expenditures of such revenues; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers

Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 596—

BY REPRESENTATIVE FANNIN

AN ACT

To enact R.S. 36:509(U) and Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.295, relative to the Jackson Parish Dugdemona Watershed Reservoir Authority; to create the Jackson Parish Dugdemona Watershed Reservoir Authority as a state agency; to provide for a board of commissioners to manage the reservoir authority; to provide for the powers and duties of the authority including the authority to issue bonds; to prohibit certain actions; to provide for penalties; to provide relative to the authority's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 669—

BY REPRESENTATIVE MCVEA

AN ACT

To enact Chapter 44 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:3281 through 3286, to create the West Feliciana Parish Port Commission; to provide for a

board of commissioners to manage the commission; to provide for the powers and duties of the commission including the authority to levy taxes and issue bonds; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 717—

BY REPRESENTATIVE MCDONALD

AN ACT

To enact Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.294, to create the Bayou Desiard Lake Restoration Commission as a political subdivision of the state; to provide relative to the purpose and boundaries of the commission; to provide for a board of commissioners to manage the commission; to provide for powers and duties of the commission and board; to provide relative to the power of taxation and the issuance of bonds; to prohibit certain actions; to provide for penalties; to provide relative to the commission's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Broome	Gautreaux B	Murray
Cain	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Jackson	Schedler
Cravins	Jones	Smith

June 6, 2005

Dardenne
Duplessis
Total - 33

Kostelka
Lentini

Theunissen
Ullo

NAYS

Total - 0

ABSENT

Bajoie
Boasso
Total - 4

Gautreaux N
Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 821— (Substitute for House Bill No. 129 by Representative Montgomery)

BY REPRESENTATIVES MONTGOMERY, GALLOT, M. GUILLORY, ST. GERMAIN, WALSWORTH, AND DARTEZ AND SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 13:1899(C), relative to the assessment of costs in criminal cases in city courts; to provide for a more uniform and in some instances an increase in court costs in criminal matters to fund the offices of marshals and constables of the courts; to provide for an exception, and to provide for related matters.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 821 by Representative Montgomery

AMENDMENT NO.1

On page 3, delete lines 26 and 27.

On motion of Senator Adley, the amendments were adopted.

The bill was read by title. Senator Adley moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 34

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Marionneaux

McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Malone
Total - 1

ABSENT

Bajoie
Total - 2

Gautreaux N

The Chair declared the amended bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator McPherson asked for and obtained a suspension of the rules for the purpose of taking up House Bill No. 203, which is on Third Reading and Final Passage, out of its regular order.

HOUSE BILL NO. 203—

BY REPRESENTATIVES FAUCHEUX AND WALSWORTH

AN ACT

To amend and reenact R.S. 22:250.2(E)(2)(b) and to enact R.S. 22:250.2(E)(2)(a)(iv) and (c)(iii), relative to health insurance; to provide with respect to group health insurance coverage of a dependent previously enrolled in the Louisiana Children's Health Insurance Program; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 35

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Bajoie
Total - 2

Gautreaux N

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

June 6, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 41—

BY SENATOR BAJOE

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Health and Hospitals to develop a plan for the consolidation of programs and services for elderly persons and persons with adult onset disabilities into a separate office within the Department of Health and Hospitals.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 6, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 2—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To create and provide for the Bayou Boeuf Advisory Committee to study and make proposals to the Senate and House Committees on Transportation, Highways and Public Works relative to uses of Bayou Boeuf, and the feasibility of the creation of a freshwater district along Bayou Boeuf from Alexandria to Washington in the parishes of Rapides, Avoyelles, and St. Landry.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to install traffic controls or reduce the speed limit on Louisiana Highway 406 (Woodland Highway) in Belle Chasse, Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 12—

BY SENATOR MOUNT AND REPRESENTATIVES FRITH, GEYMAN, E. GUILLORY, JOHNS, KLECKLEY AND MORRISH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide the necessary funding to restore Calcasieu Ship Channel in southwest Louisiana to its authorized dimensions in order that the economic, safety, and security concerns may be adequately addressed.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 20—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Social Services to study the impact of the state's sliding fee scale on the availability, affordability, and the quality of child care services funded by the Child Care Development Fund.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 19—

BY SENATOR BAJOE

A CONCURRENT RESOLUTION

To urge and request the office of public health, Department of Health and Hospitals to study the possibility of including fresh fruits, vegetables, and cut herbs purchased from any authorized WIC provider, as approved items to be purchased with WIC coupons.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Environmental Quality and the House Committee on the Environment to meet and function as a joint committee to study and make recommendations regarding recycling and disposal options relative to computers and other electronic equipment.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 39—

BY SENATOR ELLINGTON AND REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Broadband Advisory Council to conduct public hearings in various locations across the state to ascertain supply and demand issues relative to broadband deployment.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 46—

BY SENATOR ELLINGTON AND REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Broadband Advisory Council to convene a task force to develop a statewide E-Rate strategy to capture all possible E-Rate funds available to the state.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 53—

BY SENATOR FONTENOT

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Environmental Quality to develop a strategy for the proper management of electronic discards, including making recommendations for the recovery of components from discarded electronics and for the reduction of landfilling or incinerating discarded electronics.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 66—

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to permit public access to the West Pearl River Navigational Canal located in the parishes of St. Tammany and Washington and to extend the date scheduled for closure until such time that an alternate long-term solution can be determined.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 69—

BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To continue the Governor's Aviation Advisory Commission, as created by Senate Concurrent Resolution No. 78 of the 1997 Regular Session of the Legislature and continued by Senate Concurrent Resolution No. 3 of the 2004 Regular Session of the Legislature, and to provide for its membership.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Introduction of Resolutions, Senate and Concurrent

Senator Ellington asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 116—

BY SENATOR ROMERO

A RESOLUTION

To urge and request the United States Department of Labor to reconsider its determination regarding the petition of Iberia Sugar Cooperative, Inc. for Trade Adjustment Assistance certification.

On motion of Senator Romero, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 117—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guardsman Sergeant Robin V. Fell upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 118—

BY SENATOR BROOME

A RESOLUTION

To commend and congratulate Ashley Deaton on her many outstanding academic accomplishments.

On motion of Senator Broome, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 119—

BY SENATOR FIELDS

A RESOLUTION

To welcome Coach Pokey Chatman to the Senate as the head coach of the Senate basketball team and to extend best wishes to her and the team in the upcoming contest with the House in the Third Annual Legislative Charity Basketball Game.

On motion of Senator Fields, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 120—

BY SENATOR MOUNT

A RESOLUTION

To commend and congratulate Rolinda Fruge on being named "The Education Volunteer of the Year" for Calcasieu Parish.

On motion of Senator Mount, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 121—

BY SENATOR CAIN

A RESOLUTION

To urge and request the Senate Committee on Insurance to meet and form an advisory committee to study and determine the possible ways to reduce costs as well as increase availability of property and casualty insurance for Louisiana property owners.

On motion of Senator Cain, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 84—

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To honor the Foster Parents of the Year 2005 in each region of the state and to express the appreciation of the legislature for their valuable contribution to strengthening family life in Louisiana.

The resolution was read by title. Senator Nevers moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N
Total - 2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 85—

BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To create and provide with respect to a Charity Hospital Governance Commission to study and make recommendations regarding the governance of the component of the Louisiana State University-Health Care Services Division in New Orleans known as Charity Hospital, and to determine the feasibility of removing Charity Hospital from the public state-owned hospital system under the administration and operation of Louisiana State University.

On motion of Senator Duplessis, the resolution was read by title and referred to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 86—

BY SENATOR B. GAUTREAUX

A CONCURRENT RESOLUTION

To create and provide with respect to the Hospital-acquired Infection Reporting Task Force to study and make recommendations regarding the requirement that all hospitals report the incidence of hospital-acquired infections to the Department of Health and Hospitals.

On motion of Senator B. Gautreaux, the resolution was read by title and referred to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 87—

BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Secretary of State to study and make recommendations to the legislature on the criteria necessary prior to the submission of a museum into the state system as an official museum of the state.

On motion of Senator Jackson, the resolution was read by title and referred to the Committee on Education.

SENATE CONCURRENT RESOLUTION NO. 88—

BY SENATORS JONES AND ELLINGTON

A CONCURRENT RESOLUTION

To urge and request that the Region 8 Health Care Consortium and the Department of Health and Hospitals develop a plan for a Northeast-Delta Human Services District.

The resolution was read by title. Senator Jones moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N
Total - 2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 89—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its people, culture, and history, acknowledge its many contributions to the state, and proclaim June 8, 2005, as "Tunica-Biloxi Day."

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N
Total - 2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 90—

BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to inquire into the status of and pursue the expeditious resolution of the third nomination for the Medal of Honor of U.S. Army Colonel David H. Hackworth.

The resolution was read by title. Senator Barham moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux N
Total - 2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 6, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 228—

BY REPRESENTATIVE JEFFERSON

AN ACT

To amend and reenact Code of Criminal Procedure Articles 270(A) and 271(A) and (B), relative to bail in extradition cases; to provide with respect to bail in extradition cases; to provide with

respect to eligibility; to provide for a contradictory hearing in certain cases; to prohibit bail once a warrant is issued; and to provide for related matters.

HOUSE BILL NO. 86—

BY REPRESENTATIVE WALKER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the judgment in the suit entitled "Bryan Joseph Mayeux, et ux v. Lambert's Contractors, Inc., et al."; to provide for interest; to provide for court costs and expert fees; and to provide for related matters.

HOUSE BILL NO. 120—

BY REPRESENTATIVES HILL AND BEARD

AN ACT

To enact R.S. 17:3048.1(Q)(5) and (V)(3), to provide relative to minimum scores on specified tests that are required of certain home study students to be eligible for Tuition Opportunity Program for Students awards; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 301—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 47:301(7)(j), relative to state and local sales and use taxes; to define lease or rental to include the lease or rental in an arms length transaction of a crane and related equipment with or without an operator; and to provide for related matters.

HOUSE BILL NO. 643—

BY REPRESENTATIVE ERDEY

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to the First Circuit Court of Appeal for the state of Louisiana to provide for reimbursement of legal expenses of Jeffrey Hughes; and to provide for related matters.

HOUSE BILL NO. 659—

BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 39:1405(D), relative to the negotiated sales of bonds, notes, or certificates of the state and its boards, departments, commissions, authorities, and agencies; to provide for a priority order period for Louisiana retail purchasers of state bonds sold through negotiated sale; and to provide for related matters.

HOUSE BILL NO. 663—

BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE, BURRELL, AND JACK SMITH

AN ACT

To enact R.S. 15:572.8, relative to the wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

HOUSE BILL NO. 868—

BY REPRESENTATIVE TOWNSEND

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to the Department of Social Services to provide for reimbursement of legal expenses of Andrew Mata; and to provide for related matters.

HOUSE BILL NO. 885— (Substitute for House Bill No. 584 by Representative K. Carter)

BY REPRESENTATIVES K. CARTER AND BOWLER

AN ACT

To amend and reenact R.S. 22:250.31 through 250.35, relative to health insurance claims; to provide relative to prompt payment of health insurance claims; to provide for definitions; to provide for standards for receipt and processing of nonelectronic and electronic claims; to provide relative to limitations on claim filing and audit; to provide for the regulatory authority of the commissioner of insurance; to provide relative to applicability; and to provide for related matters.

HOUSE BILL NO. 886— (Substitute for House Bill No. 591 by Representative Jane Smith)

BY REPRESENTATIVE JANE SMITH

AN ACT

To amend and reenact R.S. 17:100.1, relative to alternative educational programs for certain students; to require that certain adjudicated children and children in the custody of the office of youth development shall be counted by certain local public school boards for funding purposes under certain circumstances; to provide for an effective date; and to provide for related matters.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 86—

BY REPRESENTATIVE WALKER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the judgment in the suit entitled "Bryan Joseph Mayeux, et ux v. Lambert's Contractors, Inc., et al."; to provide for interest; to provide for court costs and expert fees; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 120—

BY REPRESENTATIVES HILL AND BEARD

AN ACT

To enact R.S. 17:3048.1(Q)(5) and (V)(3), to provide relative to minimum scores on specified tests that are required of certain home study students to be eligible for Tuition Opportunity Program for Students awards; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 228—

BY REPRESENTATIVE JEFFERSON

AN ACT

To amend and reenact Code of Criminal Procedure Articles 270(A) and 271(A) and (B), relative to bail in extradition cases; to provide with respect to bail in extradition cases; to provide with respect to eligibility; to provide for a contradictory hearing in certain cases; to prohibit bail once a warrant is issued; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 301—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 47:301(7)(j), relative to state and local sales and use taxes; to define lease or rental to include the lease or rental in an arms length transaction of a crane and related equipment with or without an operator; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 643—
BY REPRESENTATIVE ERDEY
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to the First Circuit Court of Appeal for the state of Louisiana to provide for reimbursement of legal expenses of Jeffrey Hughes; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 659—
BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 39:1405(D), relative to the negotiated sales of bonds, notes, or certificates of the state and its boards, departments, commissions, authorities, and agencies; to provide for a priority order period for Louisiana retail purchasers of state bonds sold through negotiated sale; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 663—
BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE,
BURRELL, AND JACK SMITH
AN ACT

To enact R.S. 15:572.8, relative to the wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 868—
BY REPRESENTATIVE TOWNSEND
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to the Department of Social Services to provide for reimbursement of legal expenses of Andrew Mata; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 885— (Substitute for House Bill No. 584 by Representative K. Carter)
BY REPRESENTATIVES K. CARTER AND BOWLER
AN ACT

To amend and reenact R.S. 22:250.31 through 250.35, relative to health insurance claims; to provide relative to prompt payment of health insurance claims; to provide for definitions; to provide for standards for receipt and processing of nonelectronic and electronic claims; to provide relative to limitations on claim filing and audit; to provide for the regulatory authority of the commissioner of insurance; to provide relative to applicability; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 886— (Substitute for House Bill No. 591 by Representative Jane Smith)
BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact R.S. 17:100.1, relative to alternative educational programs for certain students; to require that certain adjudicated children and children in the custody of the office of youth development shall be counted by certain local public school boards for funding purposes under certain circumstances; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 6, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 160—
BY REPRESENTATIVE WALKER AND SENATOR HINES
A CONCURRENT RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions to the state, its history and culture, and its people and to proclaim June 8, 2005, Tunica-Biloxi Day.

HOUSE CONCURRENT RESOLUTION NO. 161—
BY REPRESENTATIVE MARCHAND
A CONCURRENT RESOLUTION

To recognize Tuesday, June 7, 2005, as Homer Adolphe Plessy Day.

HOUSE CONCURRENT RESOLUTION NO. 164—
BY REPRESENTATIVES HUNTER, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HONEY, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, RICHMOND, AND SHEPHERD AND SENATORS BAJOE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, AND MURRAY
A CONCURRENT RESOLUTION

To commend the "Getting African Americans Hooked on Heart Healthy Eating" marketing campaign in recognition of life threatening health issues facing Louisiana's African American community.

HOUSE CONCURRENT RESOLUTION NO. 165—
BY REPRESENTATIVE BURNS AND SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To commend Lindsay Brignac of Fontainebleau High School upon her selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

HOUSE CONCURRENT RESOLUTION NO. 87—
BY REPRESENTATIVE TUCKER
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study cost control mechanisms for the New Opportunities Waiver to ensure cost-effective administration and service delivery.

HOUSE CONCURRENT RESOLUTION NO. 131—
BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To recognize the inalienable right of parents to provide for the education of their children.

HOUSE CONCURRENT RESOLUTION NO. 92—
BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to require financial institutions to notify consumers prior to publication of negative credit information and to allow adequate time for correction.

HOUSE CONCURRENT RESOLUTION NO. 97—
BY REPRESENTATIVE THOMPSON AND SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Broadband Advisory Council to conduct any necessary pilot project relative to determining the true functionality and affordability of current and future broadband delivery technologies relative to broadband deployment.

HOUSE CONCURRENT RESOLUTION NO. 103—
BY REPRESENTATIVES M. GUILLORY AND FRITH AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to advocate changes in the Federal Motor Carrier Safety Regulations, specifically 49 C.F.R. 383.3, relative to issuance of restricted commercial drivers' licenses, which currently prohibit aerial applicators from qualifying for issuance of such licenses.

HOUSE CONCURRENT RESOLUTION NO. 122—
BY REPRESENTATIVE KLECKLEY

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to select the re-routing of West Prien Lake Road, also known as Louisiana Highway 1138-2, to intersect with the port road extension near or at the main entrance to the L'Auberge du Lac Hotel and Casino in Lake Charles, Louisiana, as a design-build demonstration project in order to expedite construction and alleviate extreme traffic congestion in the area.

HOUSE CONCURRENT RESOLUTION NO. 135—
BY REPRESENTATIVES JOHNS, K. CARTER, AND PINAC

A CONCURRENT RESOLUTION

To create and provide with respect to a Uniform Building Code Task Force, under the commissioner of insurance, to study current laws and regulations related to the construction of buildings and structures throughout the state and to make recommendations regarding legislation.

HOUSE CONCURRENT RESOLUTION NO. 141—
BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the continued state funding of the Mississippi River Corridor Initiative (MRCI) on the campus of the University of New Orleans, which assists ports and related industries to succeed in the highly competitive development of international trade along the Mississippi River.

HOUSE CONCURRENT RESOLUTION NO. 145—
BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect stop signs along Louisiana Highway 983, also known as Bueche Road, at its intersection with Louisiana Highway 620, also known as Section Road, in West Baton Rouge Parish to create a four-way stop at this intersection.

HOUSE CONCURRENT RESOLUTION NO. 148—
BY REPRESENTATIVES QUEZAIRE, LAMBERT, AND SMILEY

A CONCURRENT RESOLUTION

To urge and request the governor and the Department of Economic Development to embrace and publicly support the Louisiana Transportation Center as proposed by the Louisiana Airport Authority.

HOUSE CONCURRENT RESOLUTION NO. 146—
BY REPRESENTATIVE M. GUILLORY AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of motor vehicles, and office of state police to petition the Federal Motor Carrier Safety Administration for an exemption from the federal regulations regarding the issuance of restricted commercial drivers' licenses for aerial applicators.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Ellington asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House of Representatives with a view of acting on same:

HOUSE CONCURRENT RESOLUTION NO. 87—
BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study cost control mechanisms for the New Opportunities Waiver to ensure cost-effective administration and service delivery.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 92—
BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to require financial institutions to notify consumers prior to publication of negative credit information and to allow adequate time for correction.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 97—
BY REPRESENTATIVE THOMPSON AND SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Broadband Advisory Council to conduct any necessary pilot project relative to determining the true functionality and affordability of current and future broadband delivery technologies relative to broadband deployment.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 103—
BY REPRESENTATIVES M. GUILLORY AND FRITH AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to advocate changes in the Federal Motor Carrier Safety Regulations, specifically 49 C.F.R. 383.3, relative to issuance of restricted commercial drivers' licenses, which currently prohibit aerial applicators from qualifying for issuance of such licenses.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 122—
BY REPRESENTATIVE KLECKLEY
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to select the re-routing of West Prien Lake Road, also known as Louisiana Highway 1138-2, to intersect with the port road extension near or at the main entrance to the L'Auberge du Lac Hotel and Casino in Lake Charles, Louisiana, as a design-build demonstration project in order to expedite construction and alleviate extreme traffic congestion in the area.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 131—
BY REPRESENTATIVE BEARD
A CONCURRENT RESOLUTION

To recognize the inalienable right of parents to provide for the education of their children.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 135—
BY REPRESENTATIVES JOHNS, K. CARTER, AND PINAC
A CONCURRENT RESOLUTION

To create and provide with respect to a Uniform Building Code Task Force, under the commissioner of insurance, to study current laws and regulations related to the construction of buildings and structures throughout the state and to make recommendations regarding legislation.

On motion of Senator Mount, the resolution was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE CONCURRENT RESOLUTION NO. 141—
BY REPRESENTATIVE QUEZAIRE
A CONCURRENT RESOLUTION

To urge and request the continued state funding of the Mississippi River Corridor Initiative (MRCI) on the campus of the University of New Orleans, which assists ports and related industries to succeed in the highly competitive development of international trade along the Mississippi River.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 145—
BY REPRESENTATIVE CAZAYOUX
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect stop signs along Louisiana Highway 983, also known as Bueche Road, at its intersection with Louisiana Highway 620, also known as Section Road, in West Baton Rouge Parish to create a four-way stop at this intersection.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 146—
BY REPRESENTATIVE M. GUILLORY AND SENATOR THEUNISSEN
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of motor vehicles, and office of state police to petition the Federal Motor Carrier Safety Administration for an exemption from the federal regulations regarding the issuance of restricted commercial drivers' licenses for aerial applicators.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 148—
BY REPRESENTATIVES QUEZAIRE, LAMBERT, AND SMILEY
A CONCURRENT RESOLUTION

To urge and request the governor and the Department of Economic Development to embrace and publicly support the Louisiana Transportation Center as proposed by the Louisiana Airport Authority.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 160—
BY REPRESENTATIVE WALKER AND SENATOR HINES
A CONCURRENT RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions to the state, its history and culture, and its people and to proclaim June 8, 2005, Tunica-Biloxi Day.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 161—
BY REPRESENTATIVE MARCHAND
A CONCURRENT RESOLUTION

To recognize Tuesday, June 7, 2005, as Homer Adolphe Plessy Day.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 164—
BY REPRESENTATIVES HUNTER, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HONEY, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, RICHMOND, AND SHEPHERD AND SENATORS BAJOE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, AND MURRAY
A CONCURRENT RESOLUTION

To commend the "Getting African Americans Hooked on Heart Healthy Eating" marketing campaign in recognition of life threatening health issues facing Louisiana's African American community.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 165—
BY REPRESENTATIVE BURNS AND SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To commend Lindsay Brignac of Fontainebleau High School upon her selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

The resolution was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
REVENUE AND FISCAL AFFAIRS**

Senator Mount, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 6, 2005

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 83—
BY SENATOR BARHAM
A CONCURRENT RESOLUTION

To create and establish a commission to study and make recommendations regarding the effect of tax exemptions relative to the funding of education in Louisiana.

Reported with amendments.

SENATE BILL NO. 61—
BY SENATOR DUPLESSIS
AN ACT

To amend and reenact R.S. 47:287.752 and to enact R.S. 47:297(N), relative to income tax credits; to provide a credit for the employment of certain first time offenders; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 114—
BY SENATOR MICHOT

AN ACT

To enact R.S. 47:6020, relative to tax credits; to grant a sound recording investor individual and corporate income tax credit; to provide for transferability, certain procedures, and collection; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 179—

BY SENATORS BARHAM, KOSTELKA, DUPLESSIS AND MICHOT AND REPRESENTATIVES JACKSON, BURNS AND ROBIDEAUX

AN ACT

To enact R.S. 47:287.87 relative to the corporation income tax; to provide for a deduction for interest, dividends, and profits from sales and exchanges of capital assets consisting of incorporeal property or rights; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 246—

BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 51:1787(A)(2)(d) and (C)(2)(C), relative to Enterprise Zones; to provide for tax credits and state and political subdivision sales tax rebates for rubber manufacturing; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 259—

BY SENATORS KOSTELKA, BARHAM, DUPLESSIS AND MICHOT AND REPRESENTATIVES JACKSON, BURNS AND ROBIDEAUX

AN ACT

To amend and reenact R.S. 47:287.73(C)(1), 287.93(A)(4), 606(A)(1)(k), (2)(d), and (B), and to repeal R.S. 47:287.73(B)(3), relative to the corporation income and franchise tax; to provide for a dividends received deduction; to provide a deduction for interest and dividends received by related entities; to provide for the treatment of revenues from, investment in and advances to related entities; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 315—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 47:3201 and 3204(A), (B)(1), (F), and the introductory paragraph of (H), and to enact R.S. 47:3202.1, relative to the tax equalization program; to provide for equalization contracts for individual taxpayers; to provide for the time period authorized for tax equalization contracts; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 338—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 47:301(3)(j) and (13)(l), relative to the state sales and use tax; to provide for a limitation on the sales price and cost price of natural gas; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE MOUNT
Chairman

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 6, 2005

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 82—

BY SENATOR HEITMEIER AND REPRESENTATIVE TOOMY

A CONCURRENT RESOLUTION

To commend B. H. Miller, Jr. upon his retirement as Police Chief from the Gretna Police Department and to recognize the efforts he has made in consistently finding ways to improve and serve the community at large through his many achievements.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 3, 2005

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 42—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Levi B. Kinchen upon his death in Operation Iraqi Freedom.

SENATE RESOLUTION NO. 103—

BY SENATOR SMITH

A RESOLUTION

To commend and congratulate the Calvin High School softball team on winning the 2005 Class C state softball championship.

SENATE RESOLUTION NO. 104—

BY SENATORS BARHAM, ADLEY, AMEDEE, BAJOE, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of former State Senator J. D. De Bliex upon his death.

SENATE RESOLUTION NO. 44—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Nicholas J. Olivier upon his death in Operation Iraqi Freedom.

SENATE RESOLUTION NO. 51—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Craig Davis upon his death in Operation Iraqi Freedom.

SENATE RESOLUTION NO. 105—

BY SENATOR HINES

A RESOLUTION

To urge and request the Louisiana SenioRx program to assist those aged sixty-five and older in obtaining information regarding the Medicare prescription drug benefit.

SENATE RESOLUTION NO. 106—

BY SENATOR AMEDEE

A RESOLUTION

To commend and congratulate Tasha Michelle Daigle on her many outstanding accomplishments and on her winning the 2005 Woodmen of the World Sausage Festival Pageant, at the Acadian Village in Lafayette, Louisiana.

SENATE RESOLUTION NO. 107—

BY SENATORS HINES, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To designate the first Wednesday in June as the annual "Former State Senator Recognition Day."

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

June 3, 2005

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bill:

SENATE BILL NO. 343— (Duplicate of House Bill No. 837)

BY SENATOR FONTENOT AND REPRESENTATIVE KENNARD AND COAUTHORED BY SENATOR MARIONNEAUX

AN ACT

To enact Part IX of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3071 through 3075, relative to government within East Baton Rouge Parish; to provide for the continued collection of tax revenue to fund essential public services within the city of Central; to authorize the parish to continue collection of a previously approved two percent sales and use tax and to continue providing essential public services within the corporate limits of the city of Central pursuant to intergovernmental agreement; to create a Central Transition District as a taxing district to provide monies for essential public services within the municipality; to provide for the board of directors of the district; to provide for the duties, powers, and responsibilities of the district; to authorize the district to levy and collect a sales and use tax not to exceed two percent; to provide time limits for the continuation of such taxes; to authorize contracts, intergovernmental agreements, and cooperative endeavors; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message to the Secretary of State

SIGNED

SENATE CONCURRENT RESOLUTIONS

June 3, 2005

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 74—

BY SENATORS FIELDS AND SMITH AND REPRESENTATIVE CURTIS
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Ben DeLoache Johnson and to pay tribute to his significant contributions to his community.

SENATE CONCURRENT RESOLUTION NO. 77—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To commend and congratulate Gillis and Lucille Thibodaux of Pointe-aux-Chenes, Louisiana on the occasion of their seventy-second wedding anniversary.

SENATE CONCURRENT RESOLUTION NO. 79—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the United States Department of Veterans Affairs to reopen enrollment at the new Veterans Affairs Community Based Outpatient Clinic.

SENATE CONCURRENT RESOLUTION NO. 80—

BY SENATORS THEUNISSEN AND ULLO AND REPRESENTATIVE RITCHIE

A CONCURRENT RESOLUTION

To designate September as "Civic Literacy and Engagement Month" in Louisiana.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Leaves of Absence

The following leaves of absence were asked for and granted:

Bajoie 1 Day N. Gautreaux 1 Day

Adjournment

Senator Ullo moved that the Senate adjourn until Tuesday, June 7, 2005, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Tuesday, June 7, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk